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STATE OF WASHINGTON

LAWS

Pertaining to Public Health

(Remington's Revised Statutes)



DEPARTMENT OF HEALTH

SMITH TOWER, SEATTLE

Revised Oct. 1, 1941

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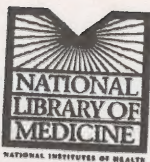
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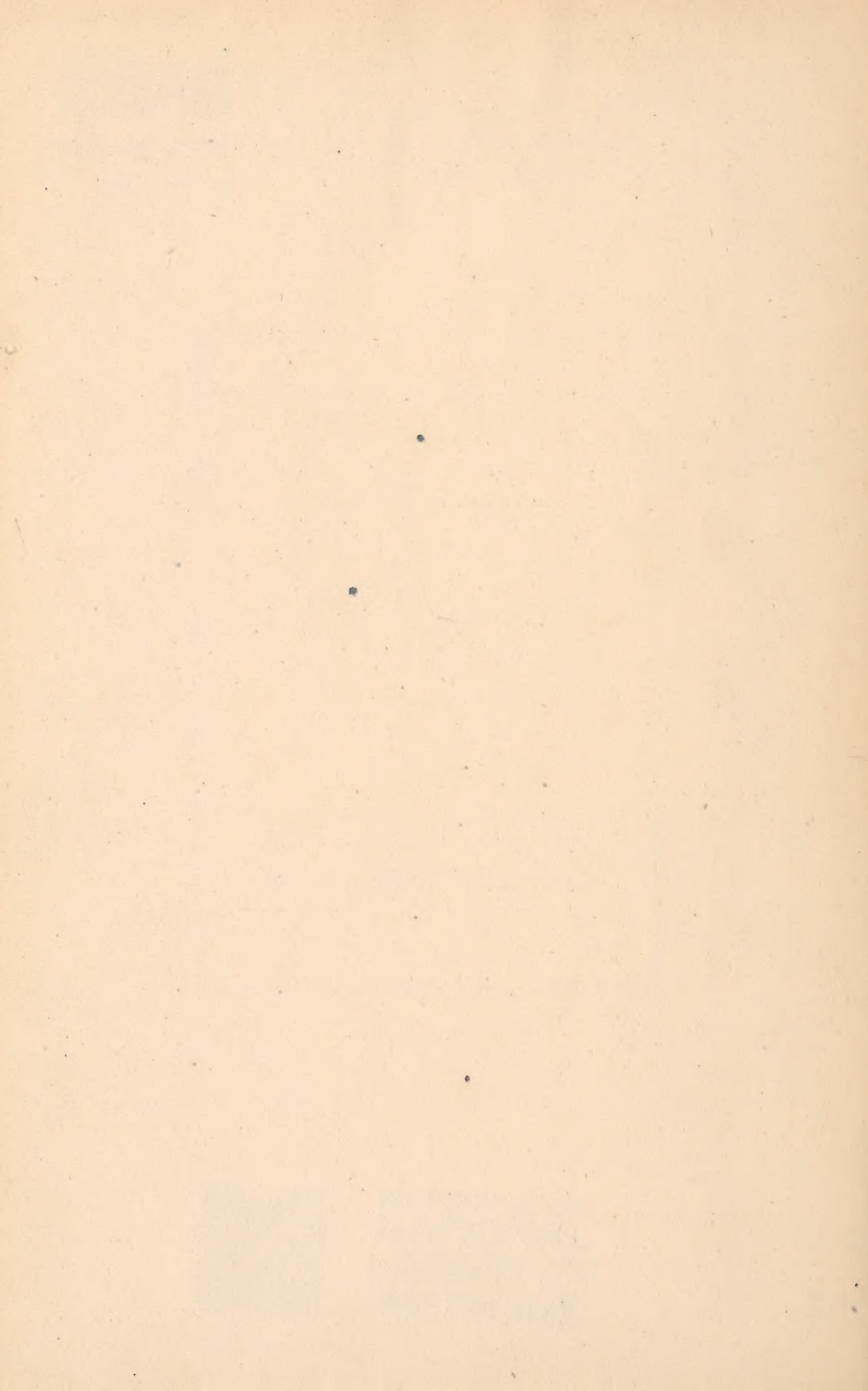
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STATE OF WASHINGTON
LAWS PERTAINING TO PUBLIC HEALTH
(Remington's Revised Statutes)

CHAPTER 1

State Board of Health and Sanitary Provisions

Sec. 6001. **Board—Powers—Duty of local officers.** The state board of health shall have supervision of all matters relating to the preservation of the life and health of the people of the state. The board shall have supreme authority in matters of quarantine, and may declare and enforce it when none exists, may modify, relax or abolish it when it has been established. The board may have special or standing orders or regulations for the prevention of the spread of contagious or infectious diseases, and for governing the receipt and conveyance of remains of deceased persons, and such other sanitary matters as admit of and may best be controlled by universal rule. It may also make and enforce orders in local matters, when in the opinion of the state board of health, an emergency exists and the local board of health has neglected or refused to act with sufficient promptness or efficiency, or when no such local board has been established, and all expenses so incurred shall be paid by the county in which such services are rendered out of the general fund of said county. It shall be the duty of all local boards of health, health authorities and officials, officers of the state institutions, police officers, sheriffs, constables, and all other officers and employees of the state, or any county, city or township thereof, to enforce such quarantine and sanitary rules and regulations as may be adopted by the state board of health, and in the event of failure or refusal on the part of any member of said boards or other officials, or persons in this section mentioned to so act, he or they shall be subject to a fine of not less than fifty dollars, upon first conviction, and upon conviction of second offense of not less than one hundred dollars. The board shall make careful inquiry as to the cause of disease especially when contagious, infectious, epidemic or endemic, and take prompt action to control and suppress it. It shall respond promptly, when called upon by the state or local government and municipal or township boards of health, to investigate and report upon the water supply, sewerage, disposal of excreta, heating, plumbing, or ventilation of any place or public building. (L. '01, p. 236, sec. 1. Cf. L. '91, p. 189, sec. 2; 1 H. C., sec. 2607.)

Sec. 6001-1. **Director's powers—Expenditures.** The Director of the State Department of Health is hereby authorized to apportion and expend such sums as he shall deem necessary for public health work in the counties of the state, from the appropriations made to the State Department of Health for county public health work. (L. '39, ch. 191, sec. 2, p. 641.)

Sec. 6002. **Contagious diseases—Report to state board—Measures.** It shall be the duty of the local board of health, health authorities or officials, and of physicians in localities where there are no local health authorities or officials, to report to the state board of health promptly upon discovery thereof, the existence of any one of the following diseases which may come under their observation, to wit: Asiatic cholera, yellow fever, smallpox, scarlet fever, diphtheria, typhus, typhoid fever, bubonic plague or leprosy,

and of such other contagious or infectious diseases as the state board may from time to time specify. And when any contagious or infectious disease shall, in the opinion of the state board of health, become or threaten to become epidemic in any city, village or county, and the local authorities shall neglect or refuse to enforce measures which in the opinion of the state board of health, are efficient for its prevention, the state board of health, or its executive officers, on the order of the president of said board, may appoint a medical or sanitary officer, and such assistants as he may require, and authorize him to enforce such orders or regulations as said board or its executive officers may deem necessary, the expense thereof to be paid by that county in which such services are rendered out of its general fund. (L. '01, p. 237, sec. 2.)

Sec. 6002-1. Syphilis tests by physicians—Advice to patients. Every physician attending a pregnant woman in the State of Washington during gestation shall, in the case of each woman so attended, take or cause to be taken a sample of blood of such woman at the time of first examination, and submit such sample to an approved laboratory for a standard serological test for syphilis. If the pregnant woman first presents herself for examination after the fifth month of gestation the physician or other attendant shall in addition to the above, advise and urge the patient to secure a medical examination and blood test before the fifth month of any subsequent pregnancies. (L. '39, ch. 165, sec. 1, p. 492.)

Sec. 6002-2. Syphilis laboratory tests. A standard serological test shall be a laboratory test for syphilis approved by the State Director of Health and shall be performed either by a laboratory approved by the State Director of Health for the performance of the particular serological test used or by the State Department of Health, on request of the physician free of charge. (L. '39, ch. 165, sec. 2, p. 492.)

Sec. 6002-3. Effective date. This act shall take effect January 2, 1940. (L. '39, ch. 165, sec. 3, p. 492.)

Sec. 6003. Expenses of board—Salary of secretary. The president of the board shall quarterly certify the amount due the secretary as salary, and all other accounts due, and on presentation of his certificate, with the proper vouchers, the auditor of the state shall draw his warrant on the treasurer for the amount. (L. '03, p. 86, sec. 1. Cf. L. '91, p. 191, sec. 10; 1 H. C., sec. 2615; L. '97, p. 283, sec. 1.)

Sec. 6004. Duties — Deputies — Vital statistics — Law enforcement. The state commissioner of health shall be state registrar of vital statistics and secretary of the state board of health and executive officer of said board. He shall be the custodian of all property and records of the state board of health and shall have charge of the office and all laboratories of said board. He is authorized to appoint deputy commissioners of health and such scientific, clerical and other assistants as may be necessary to properly carry on the work of the board. He shall devote his time to the investigation of sanitary conditions and the prevalence of disease in the state and to such other duties as the state board of health may direct or this act or any other act may require. It shall be his duty to strictly enforce all laws passed for the protection of the public health and improvement of sanitary conditions of the state and

to enforce all rules, regulations and orders of the state board of health. He shall investigate all epidemics of disease that may occur in the state and advise the local health officers as to the best measures to be taken to prevent and control such disease and he shall supervise all measures taken by local health officers for the suppression and control of disease. He shall have the same authority to quarantine and disinfect any person, article of household goods or merchandise, building or vessel that is conferred by law upon any local county or city health officers or commissioner: *Provided*, he shall not exercise such authority to quarantine and disinfect unless the local health officer or commissioner refuses or neglects to do so or when in an emergency the safety of the public health demands it. He is authorized to release any quarantine whether ordered by himself or any local health officer when in his opinion it is no longer necessary. (L. '09, p. 719, sec. 2.)

Sec. 6005. Annual convention of county health officers. It shall be the duty of the state commissioner of health to hold annually a convention of county health officers, at such place as he shall deem convenient, for the discussion of questions pertaining to public health and sanitation. Said convention shall continue in session for such time not exceeding three days as the said commissioner of health shall deem necessary. It shall be the duty of the health officer of each county to attend said convention during its entire session, and such officer shall receive his actual and necessary traveling expenses, to be paid by said county: *Provided*, that no claim for such compensation or expenses shall be allowed or paid unless it be accompanied by a certificate from the state commissioner of health attesting the attendance of such health officer at said convention. (L. '15, p. 249, sec. 1.)

Sec. 6006. Assisting local authorities—Sanitation. The commissioners of any county or the mayor of any city may call upon the state commissioner of health for advice relative to improving sanitary conditions or disposing of garbage and sewage or obtaining a pure water supply, and when so called upon the state commissioner of health shall either personally or by an assistant make a careful examination into the conditions existing and shall make a full report containing his advice thereon to the county or city making such request. (L. '09, p. 720, sec. 3.)

Sec. 6007. Annual report of board, what to contain. It shall be the duty of the board of health to make an annual report, through their secretary or otherwise, in writing, to the governor of the state on or before the first of January of each year, and such report shall include so much of the proceedings of the board and such information concerning vital statistics, such knowledge respecting diseases, and such instructions on the subject as may be thought useful by the board for the dissemination among the people, with suggestions as to legislative action as they may deem necessary. (L. '91, p. 191, sec. 11; 1 H. C., sec. 2616.)

Sec. 6008. Books and certificates, how furnished. The secretary of state shall furnish to each county auditor the necessary books for record, and blank certificates in book form, which certificates the county auditor shall furnish to each physician practicing in his county. (L. '91, p. 191, sec. 12; 1 H. C., sec. 2617.)

Sec. 6009. Rooms to be provided by secretary of state. The secretary of state shall provide room suitable for the meetings of the board and office for the secretary. (L. '91, p. 191, sec. 14; 1 H. C., sec. 2618.)

Sec. 6010. **Cognizance of fatal diseases among animals.** The state board of health shall take cognizance of any fatal diseases which may be prevalent among the domestic animals of the state, and ascertain the nature and causes of such disease, and shall, from time to time, publish the results of their investigations, with suggestions for the proper treatment of such animals as may be affected, and the remedy or remedies therefor. (L. '91, p. 191, sec. 15; 1 H. C., sec. 2619.)

CHAPTER 1-A

Garbage Collection and Sanitary Districts

Sec. 6010-1. **Sanitary districts outside of cities.** Sanitary districts for the collection and disposal of garbage and other waste matter in territories outside of incorporated cities and towns are hereby authorized to be established in class "A" counties, as in this act provided. (L. '33, p. 561, sec. 1.)

Sec. 6010-2. **Petition—Boundaries—Notice—Publication.** For the purpose of formation of a sanitary district, a petition designating the boundaries of the proposed district, by metes and bounds, or describing lands to be included in the proposed district by United States townships, ranges and legal subdivisions, signed by not less than one hundred qualified registered electors who are property owners resident within the boundaries of the proposed district for each square mile, or major fractions thereof included within the boundaries of such district, and setting forth the object for the creation of such district, and that the establishment of such district will be conducive to the public health, convenience and welfare, and will be of benefit to the property included therein, shall be filed with the county auditor of the county within which such proposed district is located, accompanied by an obligation signed by two or more of the petitioners, agreeing to pay the cost of the publication of the notice hereinafter provided for. The county auditor shall, within ten days from the date of filing such petition, examine the signatures and certify to the sufficiency or insufficiency thereof; and for such purpose shall have access to all registration books or records in the possession of the registration officers of the election precincts included, in whole or in part, within the boundaries of the proposed district. No person having signed such a petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor. If such petition shall be found to contain a sufficient number of signatures of qualified registered electors who are property owners resident within the proposed district, the county auditor shall transmit the same, together with his certificate of sufficiency attached thereto, to the board of county commissioners, and thereupon the board of county commissioners, by resolution entered upon its minutes, shall fix a time and a place for a public hearing within the district on such petition, which time shall be not less than thirty nor more than forty days from the date of the filing of such petition with the board of county commissioners; and shall cause to be published in not less than two successive issues of the official newspaper of the county, and, in the discretion of the board, in not less than two successive issues in a newspaper of general circulation within the boundaries of the proposed district, a notice that such a petition has been presented, and stating the time and place at which a hearing will be had thereon. (L. '33, p. 561, sec. 2.)

Sec. 6010-3. **Hearing—Election—Ballots.** At the time and place fixed for the hearing on such petition, the board of county commissioners shall hear

all persons resident of the proposed district appearing at such hearing, in favor of, or opposed to, the formation of such district, and shall determine whether the formation of such district, or a district including a portion or portions of the territory described in the petition, will be conducive to the public health, convenience, and welfare, and of benefit to the property included within the district; and if the county commissioners of such county find said proposed sanitary district will be conducive to the public health, welfare and convenience and shall be of special benefit to the majority of the land included within the boundaries of said proposed district, they shall by resolution call a special election to be held not less than thirty days from the date of such certificate, and shall cause to be published a notice of such election for four successive weeks, in a newspaper of general circulation in the county in which said proposed sanitary district is located, which notice shall set the hours during which such polls will be open, boundaries of the proposed sanitary district as finally adopted by said county commissioners and object of such election, and the said notice shall also be posted for ten days in three public places in said proposed sanitary district. In submitting the said proposition to the voters for their approval or rejection, such proposition shall be expressed in the following terms:

Sanitary District No..... YES

Sanitary District No..... NO

giving in each instance the name of such district as may be desired by the board of county commissioners. There shall not be less than one polling place in each precinct; otherwise, the board shall dismiss the petition, and in that case no like petition for the formation of a sanitary district within the territory included in such former petition shall be filed or heard within six months from the date of such dismissal. (L. '33, p. 562, sec. 3.)

Sec. 6010-4. Adoption of rules and regulations. Upon the formation of a sanitary district as hereinabove provided, the board of county commissioners shall have the power, and it shall be its duty, by resolution entered in its minutes, to adopt and, from time to time, to amend and enforce reasonable rules and regulations defining garbage and other waste matter subject to collection and disposal, and providing for the collection and disposal thereof from all dwellings, flats, rooming houses, apartment houses, hospitals, schools, hotels, clubs, restaurants, boarding housings, eating places, stores, shops, manufacturing establishments, tourist camps, camp grounds, picnic grounds, theatres, places of amusement, stables and other places of business, amusement, or habitation, or other places where garbage and refuse is created or accumulated, and requiring all persons and/or corporations, owning, occupying, or in charge of, such buildings and places to permit the collection and disposal of garbage and other waste matter therefrom, and to furnish such containers or other equipment for the collection and disposal of such garbage and other waste matter as may be required in such rules and regulations, and fixing reasonable schedule of fees, commensurate with the cost thereof, for the collection and disposal of such garbage and other waste matter, to be charged against all lands upon which the buildings or places from which such garbage or other waste matter are collected are situated, and to be paid by the persons and/or corporations owning, occupying, or in charge of, such buildings or places, at such times and in such manner as may be provided by such rules and regulations: *Provided*, That in the case of isolated dwellings or places of business, or amusement, located in sparsely settled portions of the district, or where

reasonable access cannot be had by truck, garbage and other waste matter therefrom may, upon special permit from the board of county commissioners, be collected, removed and disposed of by the owner of the property in question in such manner as the board shall in and by such permit approve and direct. (L. '33, p. 563, sec. 4.)

Sec. 6010-5. Collection of garbage and waste. Having adopted reasonable rules and regulations for the collection and disposal of garbage and other waste matter in any sanitary district, as provided in the preceding section, the board of county commissioners of the county in which such district is situated, shall have the power and it shall be its duty to cause all garbage and other waste matter within the boundaries of such district to be collected and disposed of, and to collect fees therefor, and to pay the cost thereof, in the manner and at the times provided in such rules and regulations, or in any amendments thereof adopted and entered upon the minutes of the board as above provided. (L. '33, p. 565, sec. 6.)

Sec. 6010-6. Special garbage fund. In the office of the county treasurer of any county in which a sanitary district is established as provided by this act, there shall be created a special fund, to be known as the "Sanitary Garbage District No. Fund," and all fees collected for the collection and disposal of garbage or other waste matter shall be credited to such fund, and all expenses incurred for the collection and disposal of garbage and other waste matter within such district shall be charged to such fund, and shall be paid upon warrants issued under the direction of the board of county commissioners in accordance with the rules and regulations adopted, as hereinabove in this act provided. (L. '33, p. 565, sec. 5.)

Sec. 6010-7. Collection of fees—Charging unpaid fees on tax roll. In case any fees for the collection of garbage and other waste matter, provided for in the preceding section, are not paid at the times provided for in such rules and regulations, it shall be the duty of the county auditor to certify that fact to the county treasurer, giving the respective amounts of the fees not paid, and describing the lands against which such fees were charged, and the respective dates when said fees were due and became delinquent; and upon the receipt of such certificate, it shall be the duty of the county treasurer to charge such delinquent fees upon the current tax rolls of the county, against the lands described in the certificate as of the date when they became due, and such charge shall constitute a lien upon the lands against which the charge is made, and such charge shall be payable, together with interest at the rate provided by law for interest on delinquent taxes, from the date of the charge, and such charge shall be collected and such liens shall be foreclosed in the manner provided by law for the collection of, and the foreclosure of, liens for general county delinquent taxes. (L. '33, p. 565, sec. 7.)

CHAPTER 2

Vital Statistics

Sec. 6011. Registration of births and deaths. The board of health shall have supervision of the state system of registration of births and deaths as hereinafter provided. They shall recommend such forms and such legislation as shall be necessary for the thorough registration of vital and mortuary statistics throughout the state. The secretary of the board shall be the superintendent of such registration, and shall keep well-bound record books, in

which shall be tabulated the reports made to the state board by the county auditor as hereinafter provided. He shall keep an accurate account of all moneys received for certificates issued, for fines and all other sources. He shall pay at the end of each month all money on hand to the state treasurer for the credit of the state board of health. (L. '91, p. 189, sec. 3; 1 H. C., sec. 2608.)

Sec. 6012. Physicians, accoucheurs, and midwives must register. It shall be the duty of all physicians in this state to register their names and postoffice address with the county auditor of the county where they reside; and every physician shall, under penalty of ten dollars, to be recovered in any court of competent jurisdiction in the state, at suit of any member of the state or local board of health, report to the county auditor on or before the fifteenth day of every month, all births and deaths which may come under his or her supervision during the previous calendar month, with a certificate of the cause of death, and such correlative facts as the board may require, in the blank forms to be provided and furnished by the county auditor. (L. '90, p. 41, sec. 1; L. '91, p. 189, sec. 4; 1 H. C., sec. 2609; L. '95, p. 41, sec. 1.)

Sec. 6013. Report of birth or death, where no physician in attendance. Where any birth or death shall take place, no physician, accoucheur, or midwife being in attendance, the same shall be reported to the county auditor within thirty days from the date of their occurrence, with the supposed cause of death, by the parent, or if none, by the nearest of kin not a minor, or if none, by the resident householder where the death shall occur, under penalty as provided in the preceding section of this chapter. (L. '91, p. 189, sec. 5; 1 H. C., sec. 2610.)

Sec. 6013-1. Recordation of adoption decrees in birth registry. Whenever a decree of adoption has been entered declaring a child adopted in any court of competent jurisdiction in the State of Washington, a certificate of the decree of adoption shall be recorded with the proper department of registration of births and a certificate of birth shall issue upon request, bearing the new name of the child as shown in the decree of adoption, the names of the foster parents of the said child, age, sex, date of birth, but no reference in any birth certificate shall have reference to the adoption of the said child. However, original registration of births shall remain a part of the record of the said board of health: *Provided, however,* There shall be no difference in the color of birth registration cards or certificates, whether the child be legitimate or illegitimate. (L. '39, ch. 133, sec. 1, p. 379, adding new section to L. 1891, ch. XCVIII.)

Sec. 6013-2. Recordation of illegitimate births when parents have married. Whenever the parents of an illegitimate child intermarry before a certificate of birth is filed, as required by law, such child shall be considered legitimate and the certificate of birth shall be made accordingly.

In any case when the parents of an illegitimate child have intermarried after a certificate of birth is filed, as required by law, a certificate of such marriage may be recorded with the board of health, and a new certificate of birth shall issue upon request in the same form as a certificate of birth for a legitimate child. The board of health shall also send copies of the new certificate of birth to any local office in which the original birth certificate was filed, and such copies shall be substituted for the copies previously filed, and the copies previously filed shall be sent to the board of health. The board of

health shall put the certificate of marriage filed, the original certificate of illegitimate birth, and the copy sent by the local office, in a sealed package. Such sealed package shall not be opened except upon order of a court of record. (L. '39, ch. 133, sec. 2, p. 380, adding new section to L. 1891, ch. XCVIII.)

Sec. 6014. Coroners must report death to auditor. The coroners of the several counties shall be required to report to the county auditor all cases of deaths which may come under their supervision, with the cause and mode of death, etc., as per forms to be provided and furnished by the county auditor, under penalty as provided in section 6012. (L. '91, p. 190, sec. 6; 1 H. C., sec. 2611.)

Sec. 6015. Prosecutions—Procedure—Disposition of fines collected. All prosecutions and proceedings instituted by the state board of health, for the violations of any of the provisions of this act, or any other laws to be enforced by this board, for the violation of any of the orders or regulations of the state board of health, shall be instituted by its proper officer on the order of the board; and all laws prescribing the modes of procedure, courts, practice and penalties for judgments applicable to local boards of health, shall apply to the state board of health, and the violation of its laws or orders; and all fines or judgments collected or received, shall be paid over to the state treasurer, and credited to the funds created for the support of the state board of health. (L. '01, p. 238, sec. 3.)

Sec. 6016. Moneys recovered for penalties, appropriation of. All moneys recovered under the penalties herein provided shall be appropriated to a special fund for the carrying out of the objects of this law. (L. '91, p. 190, sec. 7; 1 H. C. sec. 2612.)

Sec. 6017. Records—What must be kept by auditors, and how. The county auditor of the several counties in this state shall be required to keep a record book for the registration of the names and post-office addresses of physicians, accoucheurs, and midwives, to be known as a register of physicians and accoucheurs. Shall also keep a book for registering all births, to be known as a birth register, and also shall keep a book to register all deaths, to be known as a death register, and all the births and deaths so registered shall be transcribed quarterly, in alphabetical order, into books to be known as the permanent record of births and the permanent record of deaths. He shall also keep a book, to be known as the marriage statistic record, in which shall be recorded all the statistical information prescribed by the state board. Said books shall always be open for inspection, and said county auditor shall be required to render a full and complete report of all marriage statistics, births, and deaths to the secretary of the board of health quarterly, and at such other times as the secretary of the board may direct. (L. '91, p. 190, sec. 8; 1 H. C., sec. 2613.)

Sec. 6018. Registration of births and deaths—State registrar. It shall be the duty of the state board of health to have charge of the state system of registration of births and deaths and to prepare the necessary rules, forms and blanks for obtaining records and to insure the faithful registration of the same. The secretary of the state board of health shall be ex-officio state registrar, and shall have general supervision over the system of vital statistics hereby authorized and shall be charged with the uniform and thorough enforcement of this law throughout the state, and shall, from time to time, recommend any

additional forms and amendments that may be necessary. (The state board of health is authorized to appoint, when necessary, an assistant state registrar, who shall be assistant secretary of the state board of health, and to employ the necessary clerical assistants to properly record, index and classify the returns of vital statistics herein provided for.) (L. '07, p. 145, sec. 1.)

Sec. 6019. Registration districts. That for the purposes of this act the state shall be divided into registration districts as follows: Each city of the first, second and third class shall constitute a primary registration district, and each county, exclusive of the portion included within cities of the first, second and third class, shall be sub-divided by the state registrar into districts in such manner as may appear necessary for the convenience of the people, and each such district shall constitute a primary registration district, and each primary registration district shall be numbered by the state registrar. (L. '15, p. 636, sec. 1. Cf. L. '07, p. 145, sec. 2.)

Sec. 6020. Local registrars—Duties—Death certificates and burial permits. The health officer of each city of the first, second and third class shall be the local registrar in and for such primary registration district, and shall perform all the duties of the local registrar as hereinafter provided. The state registrar shall appoint a suitable person in and for each registration district not included in the cities of the first, second or third class, who shall hold such position during the pleasure of the state registrar, and shall perform all of the duties of local registrar, as hereinafter provided. Each local registrar shall appoint in writing a deputy who shall be authorized to act in case of the absence, death, illness or disability of the local registrar, and shall certify the appointment of such deputy to the state registrar. (L. '15, p. 636, sec. 2. Cf. L. '07, p. 145, sec. 3.)

Sec. 6021. Burial and removal permits—Unlawful interments. That it shall be unlawful for any person to inter, deposit in a vault, grave or tomb, cremate or otherwise dispose of, or disinter or remove from one registration district to another or hold for more than seventy-two hours after death, the body or remains of any person whose death occurs in this state or any body which shall be found in this state, without obtaining, from the local registrar of the district in which the death occurred or in which the body was found, a permit for the burial, disinterment or removal of such body: *Provided*, That any licensed embalmer of this state may temporarily remove any such body of a person dying in this state from the place where death occurred outside of the corporate limits of any city of the first, second or third class to another registration district for the purpose of preparing the same for burial without having first obtained a removal permit, but in such case the embalmer shall at the time of securing a burial, removal or transit permit for such body, filed with the registrar from whom such permit is secured, upon a blank to be furnished by the state registrar, a certificate in writing of such temporary removal, signed by the embalmer, and it shall be unlawful for any person to bring into or transport within the state or inter, deposit in a vault, grave or tomb, or cremate or otherwise dispose of the body or remains of any person whose death occurred outside this state unless such body or remains be accompanied by a removal or transit permit issued in accordance with the law and health regulations in force where the death occurred or unless a special permit for bringing such body into this state shall be obtained from the state registrar. (L. '15, p. 637, sec. 3. Cf. L. '07, p. 146, sec. 4.)

Sec. 6022. Stillborn children—Registration of. That stillborn children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "stillbirth." The medical certificate of the cause of death shall be signed by the attending physician or midwife, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, and if born prematurely, the period of uterogestation in months, if known; and a burial or removal permit in usual form shall be required: *Provided*, that a certificate of birth or death shall not be required for a stillborn child that has not advanced beyond the seventh month of uterogestation. (L. '15, p. 638, sec. 4. Cf. L. '07, p. 147, sec. 5.)

Sec. 6023. Certificate of death—Contents. The certificate of death shall contain the following items: (1) Place of death; including state, county, township or town, village or city. If in a city, the ward, street and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name to be given. (2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed." (3) Sex. (4) Color or race; as white, black (negro or negro descent), Indian, Chinese, Japanese or other. (5) Conjugal condition; as single, married, widowed or divorced. (6) Date of birth, including the year, month and day. (7) Age, in years, months and days. (8) Place of birth, state or foreign country. (9) Name of father. (10) Birthplace of father, state or foreign country. (11) Maiden name of mother. (12) Birthplace of mother, state or foreign country. (13) Occupation. The occupation to be reported of any person who had any remunerative employment, women as well as men. (14) Signature and address of informer. (15) Date of death, including the year, month and day. (16) Statement of medical attendance on decedent, fact and time of death, including the last time seen alive. (17) Cause of death, including the primary and immediate causes and contributory causes or complications, if any, and duration of each. (18) Signature and address of physician or official making the medical certificate. (19) Special information concerning deaths in hospitals and institutions, and persons dying away from home, including the former or usual residence, length of time, and place of death, and place where the disease was contracted. (20) Place of burial or removal. (21) Date of burial or removal. (22) Signature and address of undertaker. (23) Official signature of registrar, with date when certificate was filed, and registered number. (24) Whether or not the decedent was ever a member of the army, navy, or marine corps of the United States; the name of the organization in which such service was rendered, the rank and the period of service.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informer, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show

the course of disease or sequence of causes resulting in death, giving the primary and immediate causes, and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held as sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the state registrar as indefinite and unsatisfactory shall be returned to the physician for correction and definition. Causes of death, which may be the result of either disease or violence, shall be carefully defined; and if from violence, its nature shall be stated, and whether accidental, suicidal or homicidal, and in case of death in hospitals, institutions, or away from home, the physician shall furnish the information required under this head (item 19), and shall state where, in his opinion, the disease was contracted. (L. '37, ch. 168, sec. 1, p. 642.)

Sec. 6024. Death without medical attendance—Investigation. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker, or any person acting as such, to notify the local registrar of the registration district where such death occurs, or the coroner, if in a county of the first class, of such death, and the local registrar shall at once investigate the circumstances of the case and make a certificate and return of death noting upon the certificate the fact that such death occurred without medical attendance: *Provided*, if the local registrar is not a qualified physician and the cause of death is obscure or uncertain the local registrar shall refer the case to the health officer having jurisdiction over the locality where the death occurred, for certification: *And provided, further*, that if the circumstances of the case render it probable that the death was caused by unlawful means, the local registrar shall refer the case to the coroner, if the death occurred in a county of the first class, or to the prosecuting attorney, if the death occurred in any county other than a county of the first class, for certification. (L. '15, p. 638, sec. 5. Cf. L. '07, p. 149, sec. 7.)

Sec. 6025. Burial permits, etc.—Procedure. That it shall be the duty of every undertaker or person acting as undertaker, to obtain a certificate of death and file the same with the local registrar, and secure a burial or removal permit, prior to any permanent disposition of the body. He shall obtain the personal and statistical particulars required, from the person best qualified to supply them, over the signature and address of such person or state over his own signature that after careful inquiry he could not obtain such particulars. In case such deceased be a stranger whose identity cannot be determined it shall be the duty of the undertaker having such body in charge to have a photograph taken of such deceased and a copy of such photograph shall be filed with the secretary of the state board of health. He shall then present a certificate to the attending physician, if any, or in case the death occurred without any medical attendance, to the proper official for certification as hereinabove provided, for the medical certificate of the cause of death and other particulars necessary to complete the record as hereinabove provided. And he shall state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the local registrar, for the issuance of a burial or removal permit. The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring the body; or shall attach the transit permit containing the local registrar's removal permit, to the

box containing the corpse, when shipped by any transportation company, and said permit shall accompany the corpse to its destination, provided that when a body is removed from one registration district in Washington to another for interment, cremation or other permanent disposition not requiring the use of a common carrier or the issuance of a transit permit, the registrar's removal permit from the district where the death occurred may be accepted as authority for burial in the other district. It shall be the duty of every person, firm or corporation selling a casket to keep a record showing the name and postoffice address of the purchaser, the name of the deceased and the date and place of death of the deceased, which record shall be open to inspection of the state registrar at all times, and it shall be the duty of every person, firm, or corporation selling caskets to, on the first day of each month, report to the state registrar each sale for the preceding month, on a blank provided for that purpose: *Provided, however*, that no person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such record. It shall be the duty of every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, to include within the casket a notice furnished by the state registrar calling attention to the requirements of the law, a blank certificate of death, and a copy of the rules and regulations of the state board of health concerning the burial or other disposition of dead bodies. (L. '15, p. 639, sec. 6. Cf. L. '07, p. 149, sec. 8.)

Sec. 6026. Requisites of burial permit. If the interment, or other disposition of the body, is to be made within the state, the wording of the burial permit may be limited to a statement by the local registrar and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove or otherwise dispose of the deceased; stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the state registrar. (L. '07, p. 150, sec. 9.)

Sec. 6027. Burial grounds—Duties of sexton. It shall be unlawful for any person in charge of any premises in which bodies of deceased persons are interred, cremated or otherwise permanently disposed of, to permit the interment, cremation or other disposition of any body upon such premises unless it is accompanied by a burial, removal or transit permit as hereinabove provided. It shall be the duty of the person in charge of any such premises to, in case of the interment, cremation or other disposition of a body therein, indorse upon the permit the date and character of such disposition, over his signature, to return all permits so indorsed to the local registrar of his district within ten days from the date of such disposition, and to keep a record of all bodies disposed of on the premises under his charge, stating, in each case, the name of the deceased person, if known, the place of death, the date of burial or other disposition, and the name and address of the undertaker, which record shall at all times be open to public inspection, and it shall be the duty of every undertaker, or person acting as such, when burying a body in a cemetery or burial grounds having no person in charge, to sign the burial, removal or transit permit, giving the date of burial, write across the face of the permit the words "no person in charge," and file the burial, removal or transit permit within ten days with the registrar of the district in which the cemetery is located. (L. '15, p. 640, sec. 7. Cf. L. '07, p. 150, sec. 10.)

Sec. 6028. **Registration of births.** All births that occur in the state shall be immediately registered in the districts in which they occur, as hereinafter provided. (L. '07, p. 150, sec. 11.)

Sec. 6029. **Certificate of birth—Filing.** It shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all of the particulars required by this act, with the local registrar of the district in which the birth occurred, within ten days after the date of birth. And if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, to notify the local registrar, within ten days after the birth, of the fact of such a birth having occurred. It shall then, in such case, be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth. (L. '07, p. 150, sec. 12.)

Sec. 6030. **Contents of certificate.** The certificate of birth shall contain the following items:

(1) Place of birth, including state, county, township or town, village or city. If in a city, the ward, street, and house number; if in a hospital, or other institution, the name of the same to be given, instead of the street and house number. (2) Full name of the child. If the child dies without a name, before the certificate is filed enter the words "died unnamed." If the living child has not been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided. (3) Sex of child. (4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in a case of plural birth, giving the number of child in order of birth. (5) Whether legitimate or illegitimate. (6) Full name of father. (7) Residence of father. (8) Color or race of father. (9) Birthplace of father. (10) Age of father at last birthday, in years. (11) Occupation of father. (12) Maiden name of mother, in full. (13) Residence of mother. (14) Color or race of mother. (15) Birthplace of mother. (16) Age of mother at last birthday, in years. (17) Occupation of mother. (18) Number of child of this mother, and number of children of this mother now living. (L. '07, p. 151, sec. 13.)

Sec. 6031. **Names of children supplied.** It shall be the duty of every local registrar when any certificate of birth of a living child is presented without statement of the given name, to make out and deliver to the parents of such child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the registrar as soon as the child has been named. (L. '15, p. 641, sec. 8. Cf. L. '07, p. 151, sec. 14.)

Sec. 6032. **Registration of physicians, midwives and undertakers.** Every physician, midwife and undertaker shall without delay, register his or her name, address, and occupation with the local registrar of the district in which he or she resides or may hereafter establish a residence; and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the state registrar relative to its enforcement. Within thirty days after October 1st of each year each local registrar shall make a return to the state registrar of all physicians and

midwives who have been registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or other compensation shall be charged by local registrars to physicians, midwives, or undertakers for registering their names under this section or making returns thereof to the state registrar. (L. '07, p. 152, sec. 15.)

Sec. 6033. Inmates of hospitals, etc.—Record. All superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement, or are committed by process of law, are hereby required to make a record of all the personal and statistical particulars relative to the inmates in their institutions, at the date of approval of this act, that are required in the form of the certificate provided for by this act, as directed by the state registrar; and thereafter such record shall be by them made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of contagious disease, the physician in charge shall specify, for entry in the record, the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so; and when they cannot be so obtained, they shall be secured in as complete a manner as possible from the relatives, friends, or other persons acquainted with the facts. (L. '07, p. 152, sec. 16.)

Sec. 6034. Duties of state registrar. That the state registrar shall prepare, print and supply to all registrars all blanks and forms used in registering, recording and preserving the returns, or in otherwise carrying out the purpose of this act; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the state registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory, he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory, and shall cause such further information to be attached to and filed with the certificate. He shall furnish, arrange, bind and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; the cards to show the name of the child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all local registrars of the diseases which are to be considered as infectious to the public health, as decided by the state board of health, in order that, when death occurs from such diseases, proper precautions may be taken to prevent the spreading of dangerous diseases. If any cemetery company or association, or any church or historical society or association, or any other company, society, or association, or any individual, is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this state, such company, society, association, or individual may file such record or a duly authenticated transcript thereof with the state registrar, and it shall be the duty of the state registrar to preserve such record or transcript and to make a record and index thereof in such form as to facilitate the finding of any information contained therein.

Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the state registrar may prescribe. If any person desires a transcript of any record filed in accordance herewith, the state registrar shall furnish the same upon application, together with a certificate that it is a true copy of such record, as filed in his office, and for his services in so furnishing such transcript and certificate he shall be entitled to a fee of fifty cents per hour or fraction of an hour necessarily consumed in making such transcript, which fee shall be paid by the applicant. (L. '15, p. 641, sec. 9. Cf. L. '07, p. 153, sec. 17.)

Sec. 6035. **Duties of local registrar.** It shall be the duty of the local registrar to supply blank forms of certificates to such persons as require them. And he shall carefully examine each certificate of birth or death when presented for record, to see that it has been made out in accordance with the provisions of this act and the instructions of the state registrar; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold issuing the burial or removal permit until they are corrected. If the certificate of death is properly executed and complete, he shall issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurred from some disease that is held by the state board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the local registrar, except under such conditions as may be prescribed by the state and local boards of health. If a certificate of birth is incomplete, he shall immediately notify the informant, and require him to supply the missing items if they can be obtained. He shall then number consecutively the certificates of birth and death, in two separate series, beginning with "number one" for the first birth and the first death in each calendar year, and sign his name as local registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and death certificate registered by him, upon a form identical with the original certificate, to be filed and permanently preserved in his office as the local record of such death, in such manner as directed by the state registrar. And he shall on or before the fifth day of each month, transmit to the state registrar all original certificates registered by him during the preceding month. And if no births or no deaths occurred in any month, he shall, on the fifth day of the following month, report that fact to the state registrar, on a card provided for this purpose: *Provided*, That in cities of the first class, original certificates may be retained by the local health authorities, and exact duplicates of the original certificates may be forwarded by the local registrars to the state registrar. (L. '07, p. 153, sec. 18.)

Sec. 6036. **Compensation of local registrars.** That each local registrar shall be paid the sum of twenty-five cents for each birth or death certificate properly and completely made out and registered with him and by him returned to the state registrar on or before the tenth day of the following month, which sum shall cover and include the making out of the burial permit and copy of the certificate to be filed and preserved in his office. And in case no births or deaths were registered during any month, the local registrar shall be paid the sum of twenty-five cents for each report to that effect, properly made out in accordance with the directions of the state registrar:

Provided, That all local registrars who receive regular compensation as health officers shall not be entitled to the fee of twenty-five cents, above mentioned, but the duties of the local registrar shall be considered as a part of their duty as local health officer. All fees payable to local registrars under the provisions of this act shall be paid by the treasurer of the county, or city, as the case may be, properly chargeable therewith, out of the funds of such county or city, upon warrants drawn by the auditor, or other proper officer of such county or city. No warrant shall be issued to any local registrar except upon a certificate, signed and verified under oath by the state registrar, stating the names and postoffice address respectively of the local registrars entitled to fees from such county or city, and the number of certificates and reports of births or deaths, properly returned to the state registrar, by each such local registrar, during the three preceding calendar months prior to the date of such certificate, and the amount of fees to which each local registrar is entitled, which certificate the state registrar shall file with the proper officers during the months of January, April, July and October of each year. Upon the filing of such certificates, it shall be the duty of the auditor or other proper officer of the county or city to issue warrants for the amount due each local registrar and mail the same to the local registrars at their respective postoffice addresses, as given in such certificate of the state registrar. (L. '15, p. 643, sec. 10. Cf. L. '07, p. 154, sec. 19.)

Sec. 6037. Certified copies of records and searches, fees for—Exemption. It shall be the duty of the state registrar to, upon request, furnish any applicant with a certified copy of the record of any birth or death, registered under the provisions of this act, for the making and certification of which he shall be entitled to a fee of fifty cents (50¢) to be paid by the applicant: *Provided*, That no fees shall be demanded or required for furnishing certified copy, or copies, of birth or death to any vetera [veteran] of the World War, or Spanish-American War, or dependent mother or father for use in connection with a claim for compensation or pension pending before the Veteran's Administration. For any search of the files and the records when no certified copy is made, the state registrar shall be entitled to a fee of fifty cents (50¢) for each hour or fractional part of an hour employed in such search, to be paid by the applicant. But the state registrar and all local registrars shall furnish upon application certificates of the age of children to be used in attending the public schools or in obtaining employment permits without fee or compensation. The state registrar shall keep a true and correct account of all fees received by him under the provisions of this act, and turn the same over to the state treasurer on the first day of January, April, July and October. Local registrars in cities of the first, second and third class shall be entitled to charge for certified copies of records of births and deaths and for searching of records when no certified copy is made, the same fee as hereinabove provided for the state registrar, but such fees, if any collected, shall be paid into the treasury of the city where collected. (L. '37, ch. 168, sec. 2, p. 644.)

Sec. 6038. Violations of act—Penalties. Every person who shall violate or wilfully fail, neglect or refuse to comply with any provisions of this act shall be guilty of [a] misdemeanor and for a second offense shall be punished by a fine of not less than twenty-five dollars, and for a third and each subsequent offense shall be punished by a fine of not less than fifty dollars or more than

two hundred and fifty dollars or by imprisonment for not more than ninety days, or by both fine and imprisonment, and every person who shall willfully furnish any false information for any certificate required by this act or who shall make any false statement in any such certificate shall be guilty of a gross misdemeanor. (L. '15, p. 644, sec. 12. Cf. L. '07, p. 156, sec. 21.)

Sec. 6039. Enforcement of act—Who charged with. The local registrars are hereby charged with the strict and thorough enforcement of the provisions of this act in their districts, under the supervision and direction of the state registrar. And they shall make an immediate report to the state registrar of any violations of this law coming to their notice by observation or upon the complaint of any person, or otherwise. The state registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the state, and with supervisory power over local registrars, to the end that all of the requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by accredited representatives, and all local registrars shall aid him, upon request, in such investigation. When he shall deem it necessary he shall report cases of violation of any of the provisions of this act to the prosecuting attorney of the proper county with a statement of the fact and circumstances; and when any such case is reported to them by the state registrar, all prosecuting attorneys or officials acting in such capacity shall forthwith initiate and promptly follow up the necessary court proceedings against the parties responsible for the alleged violations of law. And upon request of the state registrar the attorney general shall likewise assist in the enforcement of the provisions of this act. (L. '07, p. 157, sec. 22.)

CHAPTER 3

Dead Bodies and Public Morgues

Sec. 6040. Public morgue—Authority to provide. In counties of the first class of more than two hundred and fifty thousand population, the county commissioners, within three (3) months after the taking effect of this act and in counties which shall hereafter attain a population of more than two hundred and fifty thousand, within one (1) year after attaining such population, may at their discretion provide and equip a public morgue together with suitable morgue wagon for the conveyance, receipt and proper disposition of the bodies of all deceased persons not claimed by relatives, and of all dead bodies which are by law subject to a post mortem or coroner's inquest: *Provided, however,* That only one public morgue may be established in any county. (L. '17, p. 329, sec. 1.)

Sec. 6041. Coroner to control morgue. Such morgue shall be under the control and management of the coroner who shall have power with the advice and consent of the county commissioners, to employ the necessary deputies and employees; and, with the advice and consent of the county commissioners, to fix their salaries and compensation, which, together with the expenses of operating such morgue, shall be paid monthly out of the county treasury. (L. '17, p. 329, sec. 2.)

Sec. 6042. Dead bodies in coroner's jurisdiction. The jurisdiction of the bodies of all deceased persons, not claimed by friends or relatives, or who come to their death by reason of violence or unnatural causes, or where there

shall exist reasonable grounds for the belief that such death has been caused by unlawful means at the hands of another, and bodies upon which a post mortem or coroner's inquest is to be held, is hereby vested in the county coroner, which bodies may be placed in the morgue, and it shall be his duty, under such rules as shall be adopted by him with the approval of the county commissioners, to provide how such bodies shall be brought to and cared for at said morgue and held for the proper identification where the same is necessary. (L. '17, p. 330, sec. 3.)

Sec. 6043. Notice to coroner of dead bodies—Penalty. It shall be the duty of every person who knows of the existence and location of a dead body coming under the jurisdiction of the coroner as set forth in section 6042, to notify the coroner thereof in the most expeditious manner possible, unless such person shall have good reason to believe that such notice has already been given. Any person knowing of the existence of such dead body and not having good reason to believe that the coroner has notice thereof and who shall fail to give notice to the coroner as aforesaid, shall be guilty of a misdemeanor. (L. '17, p. 330, sec. 4.)

Sec. 6044. Free care of bodies. No charge shall be made for the removal to or care of any body while in the morgue and upon the request of relatives or friends the body after investigation shall be delivered to the friends at any point in the city without charge. (L. '17, p. 330, sec. 5.)

Sec. 6045. Duplicate lists of deceased's personalty. Duplicate lists of all jewelry, moneys, papers, and other personal property of the deceased shall be made immediately upon finding the same by the coroner or his assistants. The original of such lists shall be kept as a public record at the morgue and the duplicate thereof shall be forthwith duly certified to by the coroner and filed with the county auditor. (L. '17, p. 330, sec. 6.)

Sec. 6046. Penalty for removal or concealment. Any person, not authorized by the coroner or his deputies, who removes the body of a deceased person not claimed by a relative or friend, or who came to their death by reason of violence or from unnatural causes or where there shall exist reasonable grounds for the belief that such death has been caused by unlawful means at the hands of another, to any undertaking-rooms or elsewhere, or any person who directs, aids or abets such taking, and any person who in any way conceals the body of a deceased person for the purpose of taking the same to any undertaking-rooms or elsewhere, shall in each of said cases be guilty of a gross misdemeanor and upon conviction thereof shall be punished by fine of not more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than one (1) year or by both fine and imprisonment in the discretion of the court. (L. '17, p. 331, sec. 7.)

CHAPTER 4

Quarantines at Seaports, Pesthouses, Etc.

Sec. 6047. County boards — Duties — Health officer — Bond and oath of. The county commissioners of the several counties of the state of Washington shall be and the same are hereby created and constituted a board of health for said county, whose duty it shall be to make such regulations respecting the quarantine of ships or vessels, prescribing in what case it shall be performed by vessels arriving at any port in said state as may be just and

reasonable, and the same modify or change as in their opinion the public safety requires; and the board of health so constituted shall appoint a health officer, who shall, before entering upon the duties of his office, give bonds, with good and sufficient sureties, to the county commissioners of the county where appointed, in the sum of one thousand dollars, conditioned for the faithful performance of his duties as such health officer, and shall be sworn before such officer qualified to administer oaths to perform the duties of his office to the best of his ability, and which bond and oath shall be filed in the office of the county auditor. (L. '88, p. 46, sec. 1; 1 H. C., sec. 2621.)

Sec. 6048. Duties of health officer—Vessels to be disinfected, etc. The health officer shall reside in the county where appointed, and shall require all vessels having on board any person or persons infected with smallpox, plague, pestilential or malignant fever, or other malignant, infectious, or contagious diseases, or who shall have been so infected during the voyage, or having on board any goods reasonably supposed to have any infections of such disease, to perform quarantine at some safe, suitable, and convenient place selected and designated for the purpose by the board of health, and order the master or other person having charge or control of such vessel to proceed with such vessel and anchor at such designated place, there to remain and be purified and cleansed as he may direct, and a suitable place on shore may be prescribed and properly limited for the landing, care, treatment, and purification of any person or passenger of such vessel. (L. '88, p. 46, sec. 2; 1 H. C., sec. 2622.)

Sec. 6049. Purification of goods from infected vessels—Expenses—Fees. The board of health may, and it shall be their duty to, seize any goods landed from any such infected vessel without the permission of the health officer, and remove and keep the same until they have caused them, the said goods, to be thoroughly cleansed and purified, and which cleansing and purification shall be performed by or under the direction of the health officer, with all possible dispatch, at which time such goods shall be turned over to the care and custody of the person properly claiming the same, upon payment by the person so claiming of the expense of such removal and purification; and upon the failure of the health officer to turn over to such person any such goods, agreeable to the provisions of this section, he shall be liable for all damages that may arise from such failure, and which may be recovered by suit in any court of competent jurisdiction, together with costs of suit; that the fees of the officer shall be fixed by the board of health provided for in this act, but shall not exceed the sum of five dollars for each vessel boarded or examined in the daytime, and ten dollars in the nighttime, between the hours of 10 P. M. and 5 A. M., nor the sum of fifteen dollars for fumigating a vessel, which fee shall be paid [by the owner or agent of said] vessel, and shall be a lien on said vessel until paid, and no vessel shall receive a bill of health or clearance until such fee is paid, and the health officer may recover such fee, together with the cost of suit, in any court having jurisdiction. (L. '88, p. 47, sec. 3; 1 H. C., sec. 2623.)

Sec. 6050. Disobedience of regulations—Penalty for. Any owner, master, supercargo, officer, seaman, consignee, or any other person who shall refuse or neglect to obey the orders and regulations of the board of health in regard to such quarantine on the purification and cleansing of such vessel shall be

punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding three months, or both. (L. '88, p. 47, sec. 4; I H. C. sec. 2624.)

Sec. 6051. Infected person taken ashore—Expenses of. Any person sick on board any such vessel may be sent on shore by said health officer, at some place appointed and limited for the purpose, and shall there be maintained, provided, and cleansed by or under the direction of the health officer, at the expense of such sick or infected person, if able, otherwise at the expense of the vessel in which the person or persons may have been brought into any of the ports or waters of the state of Washington, or bordering on said state. (L. '88, p. 47, sec. 5; 1 H. C., sec. 2625.)

Sec. 6052. Violation of quarantine—Penalty. If any person shall come on shore from any vessel, infected or justly suspected of being so, subjected to or performing quarantine, or shall leave the place appointed for the sick or for purification, being placed there or employed or placed there by the health officer, without permission of such officer, he or she shall be fined not exceeding one thousand dollars, or imprisonment not exceeding three months, or both. (L. '88, p. 47, sec. 6; 1 H. C., sec. 2626.)

Sec. 6053. Penalty for going on quarantined vessel or district. If any person shall, without permission of the health officer, go on board any vessel ordered for or performing quarantine, or go within the limits appointed by the health officer for the reception of infected persons and property on shore, he or she shall be considered as infected, and shall be held to undergo purification in the same manner and under the same regulations and penalties as those who are performing quarantine, and shall remain there at his or her own expense until discharged by the health officer, and any person coming into any such place having been previously disguised [designated] as a place for infected persons or property, or on board any vessel ordered to or performing quarantine, and having at the time the lawful flag, as hereinafter described, hoisted to the masthead, without permission of the health officer, he may be forcibly detained by the person or persons there employed by the health officer till he shall have undergone purification in the same manner and under the same regulations as those performing quarantine. (L. '88, p. 48, sec. 7; 1 H. C., sec. 2627.)

Sec. 6054. Quarantine flags—Penalty for not hoisting. A red flag, at least six feet long and four feet wide, shall be hoisted from sunrise to sunset at the main truck of any and all vessels ordered for and performing quarantine, failing in which the vessel shall be liable to a fine of five hundred dollars: *Provided*, The master or other person having the care and custody of any such vessel shall first be notified of such regulation, and have sufficient time and opportunity to procure said flag. A flag, as hereinbefore described, shall also be conspicuously displayed at the place designated by the board of health for the reception of infected persons and property on shore, in default of which the officer or officers having the control of such infected place shall forfeit his appointment, and shall be liable to a fine of fifty dollars, to be recovered before any justice of the peace by any person suing for the same. (L.'88, p. 48, sec. 8; 1 H. C., sec. 2628.)

Sec. 6055. Landing infected vessels or making false declarations—Penalty. If any master, owner, supercargo, officer, seaman, or consignee of any vessel, or any other person knowing such vessel to be subject to quarantine, shall

bring or suffer the same to be brought to or near any wharf, store, or dwelling-house, or other building not in use for the purpose of the health officer in his official capacity as such, or shall make any false declaration as to the port or place from which such vessel came, or in regard to the condition and health of any person on board any such vessel, or shall cause, aid, or permit the landing of any person or property, of any nature or kind whatever, from such vessel without the permission of the health officer, he shall be punished by fine not exceeding five thousand dollars, or imprisonment not exceeding three months, or both. (L. '88, p. 48, sec. 9; 1 H. C., sec. 2629.)

Sec. 6056. Failure to remove vessel to place of quarantine—Liability. If any such vessel shall not be removed to the place of quarantine agreeably to the directions of the health officer, or shall be brought near any wharf, store or dwelling-house, or other building without his permission, the health officer shall cause such vessel to be forthwith removed to such place, there to remain at the risk of the owners till expiration of the time limited by the health officer, and the expense of removal shall be paid by the master, owner, or consignee, who shall severally be liable therefor, and may be recovered by the board of health, together with costs of suit, in any court having jurisdiction. (L. '88, p. 49, sec. 10; 1 H. C., sec. 2630.)

Sec. 6057. Master to notify health officer—Penalty for failure. The master of every vessel arriving at any port in any county in the state of Washington, or at any port in the waters bordering on said state, having on board any persons infected with plague, smallpox, or other malignant, infectious, or pestilential disease, or who have been so infected during the voyage, or having on board any goods which may reasonably be supposed to have any infection of such disease, shall forthwith give notice thereof to the health officer; if any such master or other person having charge of such vessel shall neglect to give such notice, he shall be fined not exceeding five thousand dollars, or may be imprisoned not exceeding six months, or both. (L. '88, p. 49, sec. 11; 1 H. C., sec. 2621.)

Sec. 6058. Pesthouse—Expenses for. It shall be the duty of the health [officers] to appoint [appointed] under the provisions of this chapter, when by them deemed necessary, to procure a suitable building, either by lease or construction, to be used exclusively by the health officers as a pesthouse, and to approve all necessary expenses of said health officer in procuring a building and keeping the same in proper repair, and obtaining necessary furniture therefor, and in carrying into effect the provisions of this act; and the county commissioners of any of the several counties of the state of Washington constituting said board of health shall appropriate a sufficient sum out of any money in the treasury of said county not otherwise appropriated, to pay the health officer a just and reasonable compensation for the services performed in the discharge of his duty as such health officer, and the county auditor shall issue an order, countersigned by said board of health, on the county treasurer, who shall pay the same out of any money in the treasury not otherwise appropriated. (L. '88, p. 49, sec. 12; 1 H. C., sec. 2632.)

Sec. 6059. Notice of regulations. The board of health shall give notice, in such manner as they may think reasonable and most for the public good, of any and all regulations made by them under the provisions of this chapter,

the expense or cost of which shall be paid out of the county treasury, and the county auditor is hereby authorized to draw his warrant, countersigned by said board of health, on the county treasurer for the same, who shall pay such bill out of any money in the treasury not otherwise appropriated. (L. '88, p. 49, sec. 13; 1 H. C., sec. 2633.)

Sec. 6060. Disposition of fines. All fines recovered under the provisions of this chapter, and not otherwise provided for, be and the same shall be paid into the county treasury. (L. '88, p. 50, sec. 14; 1 H. C., sec. 2634.)

Sec. 6061. Infected persons may be quarantined by city. When a person is or has recently been infected with any disease or sickness dangerous to the public health, the municipal officers of the town or city where he or she is shall provide for the safety of the inhabitants as they think best, by removing him or her to a separate house, if it can be done without great danger to his or her health, and by providing nurses and other assistants, and necessities, at his or her charge, or that of his or her parent or master, if able; otherwise, that of the town or city to which he or she belongs. (Cd. '81, sec. 2204; 1 H. C., sec. 2635.)

Sec. 6062. Persons arriving from infected district must give notice. When any infectious or malignant disease is known to exist in any place out of the state, the municipal officers of any town or city in the state, by giving public notice therein as they find convenient, may require any person coming from such place to inform one of them or the town or city clerk of their arrival, and from what place, and if he or she does not within two hours after his or her arrival, or after actual notice of such requirement, give such information, he or she shall forfeit one hundred dollars to the use of the town or city. (Cd. '81, sec. 2205; 1 H. C., sec. 2636.)

Sec. 6063. Municipal officers may remove such persons from state. Said officer may prohibit a person required to give such information from going to any part of their town where they may think his presence would be unsafe for the inhabitants, and if he does not comply, they may order him, unless disabled by sickness, forthwith to leave the town or city, in the manner and by the road they may direct; and if he neglects or refuses so to do, any justice of any town or city, on complaint of either of said officers, may issue a warrant to any proper officer or other person named therein, and cause him to be removed out of the state; and if, during the prevalence of such disease in the place where he resides, he returns to any town or city in this state, without the permission of the municipal officers thereof, he shall forfeit not exceeding one hundred dollars; and if said forfeiture is not paid, he shall be imprisoned not less than three months nor more than six months. (Cd. '81, sec. 2206; 1 H. C., sec. 2637.)

Sec. 6064. Travelers suspected may be examined—License. The municipal officers of any town or city near to or adjoining the line of this state may appoint, by writing under their hands, suitable persons to attend at any places by which travelers may pass into such town or city from infected places in other states, territories, and provinces, who may examine such passengers as they suspect of bringing with them any infection dangerous to the public health, and if need be, may restrain them from traveling until licensed thereto by a justice of the peace in the town or city, or one of said officers, and any

such passenger who, without such license, travels in this state, except to return by the most direct way to the state, territory, or province whence he came, after he has been cautioned to depart by the persons so appointed, shall forfeit one hundred dollars or be imprisoned three months. (Cd. '81, sec. 2207; 1 H. C., sec. 2638.)

Sec. 6065. Baggage suspected may be quarantined. When, on the application of the municipal officers of any town or city it appears to any justice of the peace that there is a just cause to suspect that any baggage, clothing, or goods of any kind within such town or city are infected with any malignant contagious disease, by a warrant directed to a proper officer, he shall require him to impress so many men as the justice thinks necessary to secure such infected articles, and to post said men as a guard over the house or place where the articles are lodged, who shall prevent any person removing or coming near such articles, until due inquiry is made into the circumstances thereof. (Cd. '81, sec. 2208; 1 H. C., sec. 2639.)

Sec. 6066. Houses may be impressed for safekeeping of infected articles. He may by the same warrant, if it appears to him necessary, require said officers, under the direction of the municipal officers, to impress and take up convenient houses or other buildings for the safekeeping of such infected articles, and cause them to be removed thereto or otherwise detained until municipal officers think they are free from infection. (Cd. '81, sec. 2209; 1 H. C., sec. 2640.)

Sec. 6067. Officer may break buildings containing infected goods. Said officers if need be, may break open any house, shop, or other place mentioned in the warrant where infected articles are and require such aid as is necessary to execute it, and all persons at the command of either of said officers shall assist in such executions, under a penalty for refusal of not exceeding ten dollars. (Cd. '81, sec. 2210; 1 H. C., sec. 2641.)

Sec. 6068. Expense of securing infected articles to be paid by owner. The charges of securing such infected articles, and of transporting and purifying them, shall be paid by the owners thereof at the price determined by the municipal officers. (Cd. '81, sec. 2211; 1 H. C., sec. 2642.)

Sec. 6069. Compensation for services and buildings. When the officer impresses or takes up any house or other building, or other necessities, or impresses any man as herein provided, the parties interested shall have just compensation therefor, to be paid by the town or city in which such persons or property were impressed. (Cd. '81, sec. 2212; 1 H. C., sec. 2643.)

Sec. 6070. Courts may adjourn when and to what place. When a malignant infectious disease prevails in any town or city wherein the supreme or judicial court is to be held, said courts may be adjourned and may be held in any town or city in said county, by proclamation made in such public manner as the courts judge best, as near their usual place of meeting as they think safety permits. (Cd. '81, sec. 2213; 1 H. C., sec. 2644.)

Sec. 6071. Prisoners to be removed when diseased, etc. When any person in any jail or prison or workhouse in this state is attacked with any disease which the municipal officers of his town, upon medical advice, consider dangerous to the safety and health of other prisoners, or of the inhabitants of the town or city, they shall, by their order in writing, direct his removal to

some place of safety, there to be securely kept and provided for until their further order; and if he recovers from such disease, he shall be returned to his place of confinement. (Cd. '81, sec. 2214; 1 H. C., sec. 2645.)

Sec. 6072. Order of removal—Escape. If he is committed by order of a court or under a judicial process, the order for his removal, or a copy thereof attested by the municipal officers, shall be returned by them with the [their] doings thereon, into the office of the clerk of the court from which such order or process was issued. No such removal shall be deemed an escape. (Cd. '81, sec. 2215; 1 H. C., sec. 2646.)

Sec. 6073. Cities may elect health committees—Number of—Powers. A town or city may, at its annual meeting, choose or elect a health committee, of not less than three nor more than five, or one person to be a health officer, who shall remove, at the expense of their town or city, all filth found in any place therein, which in their judgment endangers the lives or health of any inhabitant, and require the owner or occupant, when they think necessary, to remove or discontinue any drain or other source of filth. (Cd. '81, sec. 2216; 1 H. C., sec. 2647.)

Sec. 6074. Municipal officers to constitute health committee, when. If any town or city, at its annual election, omits to choose or elect such committee or officer, the municipal officers shall be a health committee and have all their powers and perform all their duties. (Cd. '81, sec. 2217; 1 H. C., sec. 2648.)

Sec. 6075. Source of filth to be removed—Forfeiture. When any source of filth or other cause of sickness is found on private property, the owners or occupants thereof shall, within twenty-four hours after notice from the said committee or officers, at his own expense, remove or discontinue it; and if he neglects or unreasonably delays to do so, he shall forfeit not exceeding fifty dollars; and said committee or officers shall cause said nuisance to be removed or discontinued, and all expenses shall be repaid to the town or city by such owner or occupant, or by the person who caused or permitted it. (Cd. '81, sec. 2218; 1 H. C., sec. 2649.)

Sec. 6076. Persons from infected districts must answer questions—Forfeiture. If any master, seaman, or passenger of any vessel or steamer in which there is any infection, or has lately been, or is suspected to have been, or which has come from a port where any infectious disease prevails, dangerous to the public health, refuses to answer, on oath, such questions as are asked him relating to such infection or disease, by the municipal or health officer of the town or city to which such vessel comes, which oath either of said officers may administer, he shall forfeit not exceeding two hundred dollars, or be imprisoned not more than six months. (Cd. '81, sec. 2219; 1 H. C., sec. 2650.)

Sec. 6077. Vessels to anchor below city, when—Permits to come ashore. When a vessel or steamer arrives at any seaport in this state, having on board any person infected with any malignant disease, the master, commander, or pilot thereof shall anchor it at some convenient place below the town or city of such seaport, at a distance safe for the inhabitants thereof and the persons

on board other vessels or steamers in the port; and no person or thing on board shall be brought on shore until the municipal or health officers give them written permit so to do. (Cd. '81, sec. 2220; 1 H. C., sec. 2651.)

Sec. 6078. Willful violation of preceding section, forfeiture for. For the willful violation of the provisions of the preceding section, such master or commander shall forfeit not exceeding two hundred dollars, and the pilot not exceeding fifty dollars, for such offense. (Cd. '81, sec. 2221; 1 H. C. sec. 2652.)

Sec. 6079. Vessel to perform quarantine when required. The municipal or health officers of any seaport town or city may cause any vessel or steamer arriving there to perform quarantine at such place and under such regulations as they may judge expedient, when they think the safety of the inhabitants requires it; and whoever neglects or refuses to obey such orders and regulations shall forfeit not exceeding five hundred dollars, or be imprisoned not exceeding six months. (Cd. '81, sec. 2222; 1 H. C., sec. 2653.)

Sec. 6080. Quarantine notices to pilots, etc.—Forfeiture. When such officers of a seaport town or city think it necessary to order all vessels or steamers, arriving there from any particular port or ports, to perform quarantine, they shall give notice thereof to the pilots of their port, who shall make it known to the master or commander of all vessels or steamers which they board. If any pilot neglects to do so, or contrary thereto, pilots any vessel or steamer up to said seaport town or city, he shall forfeit not exceeding one hundred dollars. (Cd. '81, sec. 2223; 1 H. C., sec. 2654.)

Sec. 6081. Entering contrary to quarantine after notice. When the master or commander of any vessel or steamer takes either of them up to any seaport town or city after notice that a quarantine has been so directed for all vessels or steamers coming from the port or place whence his vessel or steamer sailed, or by false declaration, or otherwise, fraudulently attempts to elude such directions, or lands or suffers to be landed from his vessel or steamer any person or thing, without permission of the municipal or health officer, he shall be punished as provided in section 6078. (Cd. '81, sec. 2224; 1 H. C., sec. 2655.)

Sec. 6082. Municipality to provide flags—Duty of master, etc. The municipal or health officer of any seaport town or city requiring vessels or steamers to perform quarantine shall provide, at the expense of such town or city, a suitable number of red flags, at least three yards in length; and the master or commander of every vessel or steamer ordered to perform quarantine shall cause one of them to be continually kept, during the term thereof, at the head of the mainmast of his vessel or steamer, and no person shall go on board such vessel or steamer during said term unless by permission of said officers. If he does, he shall be thereafter held liable to the same regulations and restrictions as those belonging to said vessel or steamer, and shall there be detained by force if necessary, until duly discharged by said officers. (Cd. '81, sec. 2225; 1 H. C., sec. 3656.)

Sec. 6083. Health officers to perform quarantine duties, when. In every seaport town or city where there is a health committee or health officer, he or they may perform all the duties and exercise all the authority of municipal officers in requiring vessels or steamers to perform quarantine. (Cd. '81, sec. 2226; 1 H. C., sec. 2657.)

Sec. 6084. **Expense of quarantine to be paid by whom.** All the expenses incurred on account of any person, vessel, or steamer or goods under quarantine regulations shall be paid by him or the owner of the vessel or steamer, or goods, as the case may be. (Cd. '81, sec. 2227; 1 H. C., sec. 2658.)

CHAPTER 5

City Boards of Health

Sec. 6085. **Board of health—Health officer.** The town board or common council of every town or city in this state shall hereafter, within thirty days after the adjournment of this legislature and each year thereafter, organize as a board of health, or shall appoint wholly or partially from its own members a suitable number of competent persons who shall organize as a board of health for such town or city. Such organization shall include the election of a chairman and a clerk, and every board of health organized as provided in this chapter shall immediately after its organization appoint a health officer for the town or city, who shall be ex-officio a member of the board of health, and its executive officer, and the board of health as thus constituted shall, until their successors in office are duly organized, perform all the duties and have all powers that are given to the board of health by the general statutes of the state. Every health officer appointed under the provisions of this chapter shall be, whenever the same is practicable, a reputable physician, and shall hold his office during the pleasure of the board, and until his successor shall have been duly appointed and qualified, and in case of the occurrence of a vacancy in his office the board of health shall immediately fill the same by a new appointment: *Provided*, That the foregoing provisions shall not apply to any town, city or village in which a health board is organized and a health officer appointed under the provisions of a special charter, but every local board of health, whether organized under the provisions of this chapter or otherwise, shall immediately after each annual or other organization report to the state board of health the names, postoffice addresses and occupations of the chairman, clerk and health officer thereof, and shall make a similar report whenever, for any reason, a new health officer is appointed. (L. '93, p. 79, sec. 1.)

Sec. 6086. **Duties of health officers.** It shall be the duty of every health officer appointed under the provisions of this chapter, or by the provisions of special charters, upon the appearance of smallpox, diphtheria, scarlet fever, Asiatic cholera or other dangerous contagious disease in the town or city under his supervision, immediately to investigate all the circumstances attendant upon the appearance of such disease and to make full report thereof to the board of which he is an executive officer, and also to the state board of health; and it shall be the duty of such health officer at all times promptly to take such measures for the prevention, suppression and control of the diseases herein named, as may in his judgment be needful and proper, subject to the approval of the board of which he is a member, and it shall be the duty of every health officer to keep and transmit to his successor in office a record of all his official acts; and the salary or other compensation to be paid to every health officer appointed under the provisions of this chapter, shall be established by the board of health by whom such officer shall be appointed.

The term "dangerous contagious disease" as used in this chapter shall be construed and understood to mean such diseases as the state board of health shall designate as contagious and dangerous to the public health; and health officers shall make report to the state board of health concerning the progress of such diseases and concerning the measures used for their prevention and control with such frequency as to keep the board fully informed with regard thereto, or at such intervals as the said board may direct. (L. '93, p. 80, sec. 2.)

Sec. 6087. Physicians to report—Penalty. Whenever any physician residing and practicing in the state shall know that any person whom he shall be called upon to visit is sick with smallpox, scarlet fever, diphtheria, Asiatic cholera or other dangerous contagious diseases he shall immediately give notice thereof to the board of health of the town, village or city in which such sick person shall be at the time, and any physician who shall refuse or neglect to give such notice for a period of forty-eight hours shall, on conviction thereof, be liable to a penalty of not less than five nor more than twenty-five dollars for each day of such refusal or neglect after the expiration of said forty-eight hours: *Provided*, That the notices herein required may be sent by mail, or except in the case of cities may be given to or left at the residence of any member of the board of health, and notices so mailed or given within the time specified shall be deemed a compliance with the provisions of this section (L. '93, p. 80, sec. 3.)

Sec. 6088. Expenses, how paid. All expenses incurred in carrying out the provisions of this chapter, or any of them, shall be paid by the town, village or city by which, or on behalf of which, such expenses shall have been incurred. (L. '93, p. 81, sec. 4.)

Sec. 6089. Violations, how prosecuted. Upon complaint made in writing, under oath, by any citizen of the state, before any magistrate or justice of the peace charging the commission of an offense against any of the provisions of this chapter in his county, it shall be the duty of the county or district attorney to prosecute the offender, and all sums recovered under the provisions of this chapter shall be for the benefit of the school fund. (L. '93, p. 81, sec. 5.)

Sec. 6090. Report of state board. It shall be the duty of every health officer appointed under the provisions of this chapter and of each member of every board of health of any city or town, to report to the state board of health any information he may receive of any case of smallpox, cholera, yellow fever or typhus fever within three days after receiving any notification or information of the existence of such disease; and any health officer or member of any board of health of any city or town who shall fail or neglect to comply with the provisions of this section shall be liable to a penalty of not less than ten dollars nor more than one hundred dollars for each day of such neglect or refusal to comply with the provisions of this section. (L. '93, p. 81, sec. 6.)

CHAPTER 6

County and City Hospitals

Sec. 6090-1. County hospitals for indigent—Site—Plans—Tax Levy—Bonds—Trustees—Gifts—Joint Maintenance. The board of county commissioners of any county shall have the power to establish, provide and maintain alms houses and hospitals for the care and treatment of the indigent, sick, injured and maternity cases, and for this purpose said board of county commissioners shall have the following powers: To purchase or lease real property therefor or to use for this purpose lands already owned by the county providing such site shall first be approved by the state board of health; to erect all necessary buildings, make all necessary improvements and repairs and alter any existing building for the use of said hospitals: *Provided*, That such buildings be separate and apart from those designated as alms houses or county infirmaries: *Provided, further*, That the plans for such erection or alteration shall first be approved by the state board of health; to use county moneys, levy taxes and to issue bonds as authorized by law, to raise a sufficient amount of money to cover the cost of procuring the site, constructing and operating hospitals and for the maintenance thereof and all other necessary and proper expenses herein authorized for shall be paid; to appoint a board of trustees for said hospital, as hereinafter provided, to accept and hold in trust for the county any grant of land, gift or bequest of money or any donation for the benefit of the purposes of this act, and apply same in accordance with the terms of the gift. Any number of counties or any county and any city in which the county seat of the county may be situated may contract one with the other for the joint purchase, acquisition, ownership, control and disposition of land and other property suitable as a site for a county hospital. Therefore, the joint construction, ownership, control, management and disposition of a building or buildings thereon for the use of such county and city as a county and city hospital, and such county or city now owning a site, or any interest therein, or a site with buildings thereon may upon such terms as may appear fair and just to the board of county commissioners of such county or to the city council or commission or other governing body of such city contract with reference to the joint ownership, acquisition, leasing, control, improvement and occupation of such property, as herein provided. For the purposes of this act the word hospital shall be deemed to include alms houses. (L. '25, Ex. Ses., p. 483, sec. 1.)

Sec. 6090-2. Contract for joint hospital—Apportionment of expense—Funds—Resolution and ordinance. All contracts made in pursuance hereof shall be for such period of time and upon such terms and conditions as shall be agreed upon. Such contract shall fully set forth the amount of money to be contributed by such county and city towards the acquisition of such site and the improvement thereof and for the manner in which said property shall be improved and the character of the building or buildings to be erected thereon. Such contract may provide for the amount of money to be contributed annually by such county and city for the upkeep and maintenance of such property and the building or buildings thereon, or it may provide for the relative proportion of such expense, which such county and city shall annually pay. Such contract may specify the parts of such building or buildings which shall be set apart for the exclusive use and occupation of such

county and city. The money to be contributed by such county or city may be raised by a sale of the bonds of such county or city or by general taxation as now or may be hereafter authorized by law. Any such county or city now possessing funds or having funds available for a county or city hospital from a sale of bonds or otherwise is hereby authorized to contract for the expenditure of such funds, as herein provided. Such contract shall be made only after a proper resolution of the board of county commissioners of such county and ordinance of such city duly passed specifically authorizing the same, such contract when made shall be binding upon such county or city during the life of the same or until the same be modified or abrogated by mutual consent evidenced by a proper resolution and ordinance of such county and city. (L. '25, Ex. Ses., p. 485, sec. 2.)

Sec. 6090-3. **Petition to establish—Hospital beds limited.** When it is proposed to establish in any county any such hospital, a petition shall be presented to the board of county commissioners, signed by three hundred or more resident taxpayers of such county, requesting said board to submit to the electors the proposition to issue bonds for the purpose of procuring a site, and erecting, equipping, and maintaining such hospital, and specifying the amount of bonds proposed to be issued for such purpose and the number of hospital beds, which number shall not exceed one bed for each thousand population in counties of more than fifty thousand population. (L. '25, Ex. Ses., p. 486, sec. 3.)

Sec. 6090-4. **Bond election.** Upon the presentation of such petition and the board of county commissioners unanimously so order, the board of county commissioners may submit to the voters of the county at the next general election the question of issuing bonds and levying a tax for such hospital. (L. '25, Ex. Ses., p. 486, sec. 4.)

Sec. 6090-5. **Denominations—Interest.** Should a majority of all the votes cast upon the proposition at a general election be in favor of establishing such hospital, the board of county commissioners shall proceed to issue bonds of the county not to exceed the amount specified in said proposition, in denominations of not less than one hundred dollars nor more than one thousand dollars, drawing interest at a rate not to exceed six per cent per annum, payable annually or semi-annually. Said bonds shall be serial bonds finally maturing in twenty years from date of issuance. (L. '25, Ex. Ses., p. 486, sec. 5.)

Sec. 6090-6. **Tax Levy—Limit.** If the hospital be established, the board of county commissioners, at the time of levying general taxes, shall levy a tax at the rate voted, not to exceed two mills in any one year for the maintenance of the hospital. (L. '25, Ex. Ses., p. 486, sec. 6.)

Sec. 6090-7. **Bonds not to sell for less than par.** The county treasurer shall dispose of the bonds in the same manner as other county bonds, and the same shall not be sold for less than par with accrued interest. (L. '25, Ex. Ses., p. 486, sec. 7.)

Sec. 6090-8. **Rules and regulations.** All questions as to the character of patients who shall occupy said wards so established and all rules regulating the occupancy thereof shall be determined by the board of county commissioners in the same manner and with the same force and effect as in the case

of patients assigned to the county hospital in counties having such hospital. (L. '25, Ex. Ses., p. 487, sec. 8.)

Sec. 6090-9. Joint hospitals — Trustees — Appointment — Term of office. Whenever any county or any county and city jointly, or two or more counties jointly shall have heretofore or shall hereafter establish a hospital or similar institution of two hundred, or more, beds, for the care of the sick, injured or infirm, under the provisions of this chapter, and such hospital is, or shall hereafter be completed and ready for operation or shall have been already in operation, the board of county commissioners of the county in which such hospital or institution is located shall appoint as trustees for such hospital or institution six secular persons, two to be from each county commissioner district, and to be the persons nominated by the county commissioner elected from the respective districts. Said six trustees, together with the additional trustees, if any, and the general superintendent, hereinafter provided for, shall constitute a board of trustees for such hospital and institution with such powers and duties as are hereafter set forth. The members of the board of trustees first appointed shall be appointed for the respective terms of one, two, three, four, five and six years from and after the fifteenth day of January following their appointment, and until their successors are appointed and qualified; and thereafter their respective successors shall be appointed for terms of six years and until their successors are appointed and qualified. If the board of county commissioners is unable to determine by unanimous vote the respective terms of the first appointees, such terms shall be determined by lot. In case two or more counties have established or shall hereafter establish any such hospital jointly, the six members of the board of trustees shall be chosen as above provided from the county in which the hospital or institution is located; and each board of county commissioners of the other county or counties which contributed to the establishment of the hospital or institution shall appoint two additional members of the board of trustees. The regular term of each of the two additional members shall be six years and until their successors are appointed and qualified. Such additional members shall be residents of the respective counties from which they are appointed and shall otherwise possess the same qualifications as other trustees. The first term of office of the first appointees of any such additional members shall be fixed by the board of county commissioners of the county in which said hospital or institution is located, but shall not be for more than six years. (L. '31, p. 423, sec. 1.)

Sec. 6090-10. Trustees—Qualifications. No person shall be eligible for appointment as a trustee unless he is at least thirty-five years of age and shall have been a resident of the county commissioner district from which he is named and appointed, or of the county, if he is appointed as an additional trustee, for a period of at least two years immediately prior to such appointment. No trustee shall be actively engaged in the healing or nursing arts; and no person, except as ex-officio member, shall be eligible for appointment as a trustee who is a clergyman of any denomination or who holds or has held any office with pay during the period of two years immediately prior to such appointment in any office, department, or branch of the county, township, city or town governments of the county from which such appointment is to be made. (L. '31, p. 424, sec. 2.)

Sec. 6090-11. Vacancies—Removal of trustees. Any vacancy in the board of trustees, except that of an ex-officio member, shall be filled by appointment by the board making the original appointment, and such appointee shall hold office for the remainder of the term of the trustee in whose stead he is appointed. The board of county commissioners appointing a member of the board of trustees may by unanimous vote remove any trustee for misconduct or neglect of duty, but no such removal shall be made unless the board shall serve written notice upon the trustee, setting forth specifically the charges of misconduct or neglect of duty and fixing a time and place for hearing thereon at which the trustee charged shall be given full opportunity to be present, meet the charges and be heard in his own defense against the charges. Any trustee so removed may appeal from the order of removal to the superior court of the county of the removing board of county commissioners within the time and in the manner provided in section 4076, and thereupon such board of county commissioners shall certify to said court the causes upon which the order of removal was based, together with all records and files in the office of such board pertaining to the matter of removal. The court shall hear the matter de novo and enter an order affirming, or setting aside, the order of removal. If the court shall set aside the order of removal, it shall give appellant judgment against such county and in favor of such trustee for his costs and disbursements, including a reasonable attorney's fee. (L. '33, p. 680, sec. 1.)

Sec. 6090-12. First appointment—Time—Officers—Meetings of board. The first members of the board of trustees of such hospital or institution shall be appointed by the board of county commissioners within thirty days after this act takes effect in any county having such a hospital or institution, and thereafter within thirty days after such hospital or institution shall have been completed and be ready for operation. Within ten days after the appointment of the first members of the board of trustees, the appointees shall qualify by taking the usual oath of office required of county officers and shall meet and organize. The board of trustees shall elect from among the board membership a president and vice-president. The board of trustees shall meet upon the call of the president, or upon call signed by three members of the board and served upon all members. The call shall fix the time, place and purpose of the meeting. Any meeting may be adjourned from time to time. A majority of the trustees shall constitute a quorum for the transaction of business. (L. '31, p. 425, sec. 4.)

Sec. 6090-13. Compensation of trustees—Contracts. No trustees, except the ex-officio member, shall receive any compensation or emolument whatever for services as trustee; nor shall any trustee have or acquire any personal interest in any lease or contract whatsoever, made by said county or board of trustees with respect to such hospital or institution. (L. '31, p. 426, sec. 5.)

Sec. 6090-14. Funds—Disposal—Expenditures—Warrants. All funds received from the operation of such hospital or institution shall be paid into the county treasury of the county in which the same is located, but the board of trustees may provide for the payment into the city or county treasury of any city or other county which has contributed to the establishment of such hospital or institution of such portion of such funds as shall be just and equitable. All expenditures made for and on behalf of such hospital or institution shall be from the county treasury of the county in which the hospital or insti-

tution is located, but such portion of such expenditures as the board shall determine to be just and equitable shall be paid from the county treasury or the city treasury of any other county or city which has contributed to the establishment of such hospital or institution. Warrants for such expenditures shall be drawn by the county or city auditor or comptroller, as required by the board, upon vouchers approved by the board, or the secretary of the board under such regulations as the board may prescribe, and shall be paid from the treasury upon which the same are drawn. (L. '31, p. 426, sec. 6.)

Sec. 6090-15. Powers of board—General superintendent—Removal—Budget—Annual report—Gifts. The board of trustees shall:

(1) Have general supervision and care of such hospitals and institutions and the buildings and grounds thereof and power to do all and everything necessary to the proper maintenance thereof within the limits of the appropriations authorized.

(2) Employ and fix the salary of a general superintendent, who shall furnish a bond in such amount as may be fixed by the board and which shall be subject to approval of the board. The general superintendent shall become an ex-officio member and secretary of the board of trustees, and shall devote his entire time exclusively to the management of the hospital and institution and shall not engage in any other business or profession of any nature whatsoever, and shall not be qualified for appointment unless he shall have had not less than five (5) years of experience as superintendent of a general hospital. The general superintendent may be removed for misfeasance or malfeasance in the following manner: Written notice setting forth the specific acts constituting the charges shall be served upon the general superintendent, and the notice shall fix a time and place for hearing on the charges. At such hearing the general superintendent shall be given an opportunity to be present and meet the charges and be heard in his defense against the charges. The charges shall be heard before a tribunal consisting of the chairman of the board of county commissioners, the prosecuting attorney and the county auditor of the county in which the hospital or institution is situated.

(3) Prepare, in accordance with the provisions of the county budget law and file with the county auditor or if the hospital has been established by more than one county, with the county auditor of each county, and if a city has contributed to the establishment of the hospital, with the official of the city charged by law with the preparation of the city budget, a detailed and itemized estimate, both of the probable revenues from sources other than taxation and of all expenditures required from such county, or counties and city, as the case may be, by such hospital or institution for the ensuing fiscal year.

(4) File during the first week in January of each year with the county commissioners of each county and the city council or governing body of any city contributing to the establishment of such hospital, a report covering the proceedings of the board with reference to such hospital, and a statement of all receipts and expenditures during the preceding calendar year.

(5) Have the power to accept property by gift, devise, bequest or otherwise for the use of such hospital or institution. (L. '31, p. 426, sec. 7.)

Sec. 6090-16. By-laws—Further powers—Rules. The board of trustees may:

(1) Adopt by-laws and rules for its own guidance and for the government of the hospital or institution.

(2) Establish and maintain in connection with said hospital or institution a training school for nurses.

(3) Establish as a department in connection with such hospital or institution a suitable building for the isolation and detention of persons afflicted with contagious diseases subject to quarantine.

(4) Determine whether or not, and if so upon what terms, it will extend the privilege of the hospital or institution to non-residents of the county or counties establishing the same.

(5) Operate said hospital or institution as a general hospital and provide as a department thereof suitable accommodations and means for the care of persons afflicted with tuberculosis.

(6) Formulate rules and regulations for the government of tuberculosis patients and for the protection of other patients, nurses, and attendants from infection. (L. '31, p. 428, sec. 8.)

Sec. 6090-17. **General superintendent—Duties.** The general superintendent shall be the chief executive officer of such hospital or institution and shall perform every and all administrative services necessary to the efficient and economical conduct of such hospital or institution and the admission to and proper care of persons properly entitled to the services thereof as provided by law or by the rules and regulations of the board of trustees. (L. '31, p. 428, sec. 9.)

Sec. 6090-18. **Inspection.** Any hospital or institution maintained and operated under the provision of this act shall be subject to inspection by a duly authorized representative of the state department of health and any member of the board of county commissioners of the county or counties and governing officials of the cities by which the hospital has been established. (L. '31, p. 429, sec. 10.)

CHAPTER 7

County and City Boards of Health

Sec. 6091. **County boards—Jurisdiction—Officers—County health officers.** The board of county commissioners of each and every county in this state shall be constituted a county board of health for such county, and said county board of health's jurisdiction shall be coextensive with the boundaries of said county, except that nothing herein contained shall give said board jurisdiction in cities of the first class. The chairman of the board of county commissioners shall be the president of the county board of health, and the county auditor shall be the clerk thereof. They shall on or before July 1st, next following each general election, appoint a legally qualified physician county health officer whose term of office shall be for two years from July 1st, next following each general election and shall fix his compensation.

The county health officer shall be ex-officio member of the county board of health and shall be the executive officer thereof and may be county physician. The county board of health may appoint as many sanitary officers as they may deem necessary and fix the compensation of all appointees, who shall serve during the pleasure of the board. In case of refusal or neglect of any county board of health to appoint a county health officer for thirty days after July 1st, next following any general election, or if a vacancy shall exist in the office of county health officer for a period exceeding thirty days, the state board of health may make such appointment for such county for that term and fix the compensation and a health officer so appointed shall have the

same duty, power and authority as though appointed by the county board of health. The county board of health shall be subject to the supervision of the state board of health and shall make such reports to the state board of health as the state board may require. (L. '03, p. 83, sec. 1; L. '07, p. 162, sec. 1.)

Sec. 6092. City health officers—Appointment—Term. The mayor of every incorporated city and town except cities of the first class, shall each year appoint a legally qualified physician city health officer whose compensation shall be fixed by the city council and whose term of office shall be until January 31st of the year following that in which he is appointed or until his successor is appointed and qualified: *Provided*, That in cities of the second class having a board of health the board of health shall appoint the health officer: *Provided further*, That health officers of cities of the third class elected at the last city election shall hold such office until the expiration of the term for which they were elected. (L. '07, p. 163, sec. 2.)

Sec. 6093. Regulations by county board—Approval by state board—Pest-houses. It shall be the duty of the county board of health to make such rules and regulations as in their opinion may be necessary for the prevention, suppression and control of any dangerous, contagious or infectious disease, which rules and regulations shall take effect from and after the approval of the state board of health. They shall have the authority to establish and maintain a pesthouse or isolation hospital or quarantine station, and to restrain, quarantine, vaccinate or disinfect any person or persons sick with or exposed to any dangerous, contagious or infectious disease, in accordance with their rules and regulations, and the rules and regulations of the state board of health. (L. '03, p. 83, sec. 2.)

Sec. 6094. Powers and duties of health officers. The county health officer shall have supervision over all matters pertaining to the preservation of life and health of the people of his jurisdiction, subject to the supervision and control of the state board of health. He shall have authority to order the abatement or removal of any nuisance detrimental to the public health, and if such nuisance is not properly abated or removed to cause its removal or abatement at the expense of the owner of the property on which the nuisance is maintained. Said expenses, if not promptly paid, to be collected, with costs, by due process of law. He shall cause proper measures, in accordance with the rules and regulations and orders of the state board of health, to be taken to prevent, suppress or control any dangerous contagious or infectious disease that may occur within the county. All city health officers except those of cities of the first class shall report immediately to the state board of health every new outbreak of any contagious or infectious disease and shall make weekly reports to the county health officer of all contagious or infectious diseases occurring within the city.

It shall be the duty of all health officers, upon the appearance of any dangerous contagious or infectious diseases within their jurisdiction, immediately to investigate all circumstances concerning such diseases, and to make a full report thereof as required above and at all times, promptly, to take such measures for the prevention, suppression and control of such diseases as may be needful and proper. Every health officer shall have the power to remove to and restrain in a pesthouse or isolation hospital, or to quarantine or isolate, any person sick with any dangerous, contagious or infectious disease until such sick person shall have thoroughly recovered and been disinfected:

Provided, That no person shall be removed to or restrained in a pesthouse or isolation hospital until such person has been examined by the health officer or a medical deputy. He shall also quarantine, isolate, restrain, vaccinate or disinfect any person or persons exposed to any dangerous contagious or infectious disease in such manner and for such time as he may deem best or the state board of health may direct. He shall disinfect any room or house or building and the contents thereof or any clothing, bedding, furniture or other articles that may be infected, in such a manner that the danger of conveying any disease by such means shall be destroyed. (L. '03, p. 84, sec. 3; L. '07, p. 163, sec. 3.)

Sec. 6094-1. Expenditures by county board. Each Board of County Commissioners is hereby authorized and directed to expend the sum budgeted under this act, or so much thereof as may be necessary, for public health work. (L. '39, ch. 191, sec. 3, p. 641.)

Sec. 6095. Physician to report diseases. Whenever any physician shall attend any person sick with any dangerous contagious or infectious disease, or with any diseases, required by the state board of health to be reported, he shall, within twenty-four hours, give notice thereof to the health officer within whose jurisdiction such sick person may then be. (L. '03, p. 84, sec. 4; L. '07, p. 164, sec. 4.)

Sec. 6096. Determination of character of disease—When final. In case of the question arising as to whether or not any person is affected or is sick with a dangerous, contagious or infectious disease, the opinion of the health officer shall prevail until the state board of health can be notified, and then the opinion of the executive officer of the state board of health, or any member or physician he may appoint to examine such case, shall be final. (L. '03, p. 84, sec. 5.)

Sec. 6097. "Dangerous, etc., diseases" defined. The term, "dangerous, contagious, or infectious disease," as used in this chapter shall be construed and understood to mean such disease or diseases as the state board of health shall designate as contagious or infectious and dangerous to the public health. (L. '03, p. 84, sec. 6.)

Sec. 6098. Violations—Removal of officers—Penalties. Any health officer who shall refuse or neglect to obey or enforce the provisions of this chapter or the rules or regulations or orders of the state board of health or who shall refuse or neglect to make prompt and accurate reports to the county health officer or to the state board of health may be removed as health officer by the state board of health and shall not again be reappointed except with the consent of the state board of health.

Any member of a city or county board of health who shall violate any of the provisions of this chapter or refuse or neglect to obey or enforce any of the rules, regulations or orders of the state or county boards of health made for the prevention, suppression or control of any dangerous, contagious or infectious disease or for the protection of the health of the people of this state, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than two hundred dollars. Any physician who shall refuse or neglect to report to the proper health officer within twelve hours after first attending any case of contagious or infectious disease or any diseases, required by the state board of health to be reported or any case

suspicious of being one of such diseases, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than two hundred dollars for each case that is not reported.

Any person violating any of the provisions of this chapter or violating or refusing or neglecting to obey any of the rules and regulations or orders made for the prevention, suppression and control of dangerous contagious and infectious diseases by the county board of health or health officer or state board of health, or who shall leave any pesthouse or isolation hospital or quarantined house or place without the consent of the proper health officer, or who evades or breaks quarantine or conceals a case of contagious or infectious disease or assists in evading or breaking any quarantine or concealing any case of contagious or infectious disease, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars or to imprisonment in the county jail not to exceed ninety days or to both fine and imprisonment. (L. '03, p. 85, sec. 7; L. '07, p. 164, sec. 5. Cf. L. '01, p. 59, sections 1, 2.)

Sec. 6099. Payment of expenses. All expenses incurred in carrying out the provisions of this chapter, or any of them, shall be paid by the county or city by which or in behalf of which such expenses shall have been incurred. (L. '03, p. 85; L. '07, p. 166, sec. 6.)

CHAPTER 8

Control and Treatment of Venereal Diseases

Sec. 6100. Communication of venereal diseases. That syphilis, gonorrhea and chancroid hereinafter designated as venereal diseases are hereby declared to be contagious, infectious, communicable and dangerous to the public health. It shall be unlawful for anyone infected with these diseases or any of them to expose another person to infection. (L. '19, p. 277, sec. 1.)

Sec. 6101. Examination, treatment and quarantine. State, county and municipal health officers, or their authorized deputies, who are licensed physicians, within their respective jurisdictions are hereby directed and empowered, when in their judgment it is necessary to protect the public health, to make examination of persons reasonably suspected of being infected with venereal disease of a communicable nature, and to require persons infected with venereal disease of such communicable nature to report for treatment to a reputable physician and continue treatment until cured, or to submit to treatment provided at public expense until cured, and also, when in the judgment of the state commissioner of health, it is necessary to protect the public health, to isolate or quarantine persons infected with venereal disease of such communicable nature. It shall be the duty of all local and state health officers to investigate sources of infection of venereal diseases, to cooperate with the proper officials whose duty it is to enforce laws directed against prostitution, and otherwise to use every proper means for the repression of prostitution: *Provided*, That any person suspected as herein set out may have present at the time of taking the blood sample or smear a physician of his or her choosing, who may satisfy himself that the blood or smear taken is that of the suspected person, and that the same shall be forwarded to the proper state authorities for laboratory tests, and: *Provided, further*, That

the suspected person shall be informed by the health officer of his or her rights under this act. (L. '19, p. 277, sec. 2.)

Sec. 6102. Prisoners—Examination for disease—Use of prisons as hospitals. Any person who shall be confined or imprisoned in any state, county, or city prison in the state and who may be reasonably suspected by the health officer of being infected with venereal disease shall be examined for and, if infected, treated for venereal diseases by the health authorities or their deputies who are licensed physicians. The prison authorities of any state, county, or city prison are directed to make available to the health authorities such portion of any state, county, or city prison as may be necessary for a clinic or hospital wherein all persons who may be confined or imprisoned in any such prison and who are infected with venereal disease, and all such persons who are suffering with venereal disease at the time of the expiration of their terms of imprisonment, and, in case no other suitable place for isolation or quarantine is available, such other persons as may be isolated or quarantined under the provisions of section 6101, shall be isolated and treated at public expense until cured, or, in lieu of such isolation any such persons may, in the discretion of the board of health, be required to report for treatment to a licensed physician, or submit to treatment provided at public expense as provided in section 6101. Nothing herein contained shall be construed to interfere with the service of any sentence imposed by a court as a punishment for the commission of crime. (L. '19, p. 278, sec. 3.)

Sec. 6103. Rules and regulations—Names of infected safeguarded. The state board of health is hereby empowered and directed to make such rules and regulations as shall in its judgment be necessary for the carrying out of the provisions of this act, including rules and regulations providing for the control and treatment of persons isolated or quarantined under the provisions of section 6101, and such other rules and regulations, not in conflict with provisions of this act, concerning the control of venereal diseases, and concerning the care, treatment and quarantine of persons infected therewith, as it may from time to time deem advisable. All such rules and regulations so made shall be of force and binding upon all county and municipal health officers and other persons affected by this act, and shall have the force and effect of law: *Provided*, That such regulations shall prescribe reasonable safeguards against the disclosure of the names of any such infected persons, who faithfully comply with the provisions of this act and the lawful regulations of the state board of health, except to officers and physicians charged with the enforcement of this act and such rules and regulations and any violation of such safeguarding regulations, shall be a gross misdemeanor. (L. '19, p. 279, sec. 4.)

Sec. 6104. Penalty for violations of act. Any person who shall violate any of the provisions of this act or any lawful rule or regulation made by the state board of health pursuant to the authority herein granted, or who shall fail or refuse to obey any lawful order issued by any state, county or municipal health officer, pursuant to the authority granted in this act, shall be deemed guilty of a gross misdemeanor. (L. '19, p. 279, sec. 5.)

Sec. 6105. Laboratory examinations. Diagnosis in every instance must be confirmed by laboratory examinations in a laboratory approved by the state board of health, before any person shall be isolated or committed to

quarantine and before any person committed to quarantine shall be discharged therefrom. (L. '19, p. 280, sec. 6.)

Sec. 6106. Appeals to state commissioner of health—Finding—Conclusive. Any person committed to quarantine under the provisions of this act, feeling aggrieved at the finding of any health officer that he or she is infected, or at the finding of any quarantine officer that he or she has not been cured of infection, shall have the right of appeal from such finding to the state commissioner of health; and it shall be the duty of every health officer making an examination, and of every quarantine officer, to notify all persons examined or quarantined of their rights in that regard, and to supply them with the forms necessary for that purpose, upon which to make such appeals, to be provided by the state commissioner of health, and to immediately transmit any such appeals by mail to the state commissioner of health; and the state commissioner of health shall, within five days after receiving any such appeal, either in person or by regular or special physician deputy appointed for that purpose, and skilled in the diagnosis of contagious venereal diseases, examine or cause to be examined the person taking the appeal, and the finding and conclusion of the commissioner of health or his deputy so making such examination shall be final and conclusive. (L. '19, p. 280, sec. 7.)

Sec. 6107. Quarantine districts—Clinical institute for women. For the purpose of carrying out the provisions of this act the state board of health shall have the power and authority, from time to time, to divide the state into such number of quarantine districts consisting of one or more counties or parts of counties or municipalities as it shall deem expedient, and to establish at such place or places as it shall deem necessary quarantine stations and clinics for the detention and treatment of persons found to be infected and to establish any such quarantine station and clinic in connection with any county or city jail, or in any hospital or other public or private institution having, or which may be provided with, such necessary detention, segregation, isolation, clinic and hospital facilities as may be required and prescribed by the board, and to enter into arrangement for the conduct of such quarantine stations and clinics with the public officials or persons, associations, or corporations in charge of or maintaining and operating such institutions: *Provided*, That from and after the date of the proclamation of the governor that that certain public institution if established by the sixteenth legislature to be known as the Women's Industrial Home and Clinic is ready for the reception of inmates, all infected women committed to quarantine under the provisions of this act may be committed to said institution; and all women committed to quarantine in said institution shall be entitled to receive all the benefits of the mental, physical and moral training provided for the inmates of such institution. (L. '19, p. 280, sec. 8.)

Sec. 6108. Act cumulative. The provisions of this act shall be cumulative with the existing laws and regulations and nothing herein contained shall abridge or limit the powers of health authorities as construed by the supreme court of the state of Washington; except as herein otherwise provided. (L. '19, p. 281, sec. 9.)

CHAPTER 9

Tuberculosis in Cities of First and Second Class

Sec. 6109. **Physician to report tuberculosis.** All practicing physicians in cities of the first and second class in said state are hereby required to report to the local boards of health of such cities, in writing, the name, age, sex, occupation and residence of every person having tuberculosis who has been attended by, or who has come under the observation of such physician for the first time, within five days of such time. (L. '99, p. 117, sec. 1.)

Sec. 6110. **Board of health to keep record.** All local boards of health of cities of the first and second class in this state are hereby required to receive and keep a permanent record of the reports required by section 6109 to be made to them; such records shall not be open to public inspection, but shall be submitted to the proper inspection of other local and state boards of health alone, and such records shall not be published nor made public. (L. '99, p. 117, sec. 2.)

Sec. 6111. **Duties of board—Disinfection expenses.** It shall be the duty of such local boards of health unless requested by the attending physician not to do so, to furnish to each patient or to the head of the family where such patient resides, printed instructions for the prevention of the communication of such disease to other persons; to enforce compliance with section 6109; to see that the premises occupied by any such patient are kept in good sanitary condition, and within five days after the death or removal of any such patient, to see that such premises are thoroughly and properly disinfected. The expense of such disinfection shall be a charge against the owner of such premises; and, on the failure of such owner to properly disinfect such premises within five days after notice to do so given him by such board of health, it shall be the duty of such board to have such disinfection done, at the expense of such city, and the costs thereof shall be a lien on said premises in favor of such city and may be enforced by the city by proper action. (L. '99, p. 117, sec. 3.)

Sec. 6112. **Penalty.** Any practicing physician who shall willfully fail to comply with the provisions of section 6109 shall be guilty of a misdemeanor, and on conviction thereof may be fined for the first offense not exceeding five dollars, and for any subsequent offense not exceeding one hundred dollars. (L. '99, p. 118, sec. 4.)

Sec. 6113. **Prevention of spread of tuberculosis.** It is hereby made the duty of every person having tuberculosis and of everyone attending such person, and of the authorities of public and private institutions, hospitals or dispensaries, to observe and enforce the sanitary rules and regulations prescribed from time to time by the boards of health, of such cities and of the state for the prevention of the spread of pulmonary tuberculosis. (L. '99, p. 118, sec. 5.)

CHAPTER 10

County Tuberculosis Hospitals

Sec. 6114. **County may maintain—Buildings—Funds.** The board of county commissioners of any county shall have power to establish, provide and maintain hospitals and to employ visiting nurses for the care and treatment of persons suffering from tuberculosis, but whenever a hospital is established as herein provided, such visiting nurse or nurses shall be under the control of and subject to the direction of the board hereinafter designated as the board of managers of such hospital.

For these purposes, said board of county commissioners shall have the following powers:

To purchase or lease real property therefor or to use for this purpose lands already owned by the county, providing such site shall first be approved by the state board of health.

To erect all necessary buildings, make all necessary improvements or repairs and alter an existing building for the use of said hospital: *Provided*, That such buildings be separate and apart from those designated as almshouses, or county infirmaries: *And provided further*, That the plans for such erection or alteration shall first be approved by the state board of health.

To use county moneys, to levy taxes and to issue bonds as authorized by law to raise a sufficient amount of money to cover the cost of procuring a site, constructing and equipping hospitals and for the maintenance thereof, and all other necessary and proper expenses herein authorized, and create a fund to be known as the "Tuberculosis Fund," from which all expenses herein provided for shall be paid.

To appoint a board of managers for said hospitals as hereinafter provided. To accept and hold in trust for the county any grant of land, gift or bequest of money, or any donation for the benefit of the purposes of this act, and to apply the same in accordance with the terms of the gift. (L. '13, p. 592, sec. 1.)

Sec. 6115. **Board of managers—Term.** When the board of commissioners shall have determined to establish a hospital for the care and treatment of persons suffering from tuberculosis and shall have acquired a site therefor and shall have awarded contracts for the necessary buildings and improvements thereon, it may appoint three citizens of the county, only one of whom may be a physician, who shall constitute the board of managers of said hospital. The term of office of each member of said board shall be three years, and the term of one of such managers may expire annually, the first appointments shall be made for the respective terms of three, two and one years. Appointments of successors shall be for the full term of three years, except that appointments of persons to fill vacancies occurring by death, resignation or other cause shall be made for the unexpired term. Failure of any manager to attend four consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by formal action of the board of managers.

The managers shall receive no compensation for their services, but shall be allowed their actual and necessary traveling and other expenses, to be audited and paid in the same manner as the other expenses of the hospital. No manager shall be removed from office except for cause shown and after a

public hearing on charges reduced to writing. A copy of said charges and the verdict thereon shall be filed with the county auditor. (L. '13, p. 593, sec. 2.)

Sec. 6116. Superintendent—Salaries. The board of managers shall appoint a superintendent of the hospital, who shall be the secretary of the board and shall hold office at the pleasure of said board. Said superintendent shall not be a member of the board of managers, and shall be a qualified practitioner of medicine.

Said board of managers shall fix the salaries of the superintendent and all other officers and employees and the management of said hospital shall be entirely in the hands of such board. (L. '13, p. 593, sec. 3.)

Sec. 6117. County treasurer to be treasurer. The county treasurer of any county which establishes such an institution shall be the treasurer of such institution, and shall receive all moneys raised by taxation or otherwise or paid for the maintenance of inmates of such institution, and shall disburse all moneys to be paid on account of such institution upon warrants drawn upon such fund by the county auditor, as approved by the board of managers. (L. '13, p. 594, sec. 4.)

Sec. 6118. Application for admission to hospital. Any person having resided one year within the county in which the hospital is situated desiring treatment in such hospital, may apply in person to superintendent or to any reputable physician for examination and such physician, if he finds that said person is suffering from tuberculosis in any form may apply to the superintendent of the hospital for admission of said person. Upon receipt of such application, if there be a vacancy in said hospital, the superintendent shall notify the person named in such application to appear in person at the hospital. If upon personal examination the superintendent and board of managers are satisfied that such person is suffering from tuberculosis he shall be admitted. All applications shall be in writing and shall state whether the applicant can pay in whole or in part for his care and treatment while at the hospital, and every application shall be filed and recorded in a book kept for the purpose in the order of receipt. When said hospital is completed and ready for the treatment of patients, or whenever thereafter (there) are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from tuberculosis, except that advanced cases shall always be provided for first. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer or employee of such hospital shall accept from any patient thereof, any fee, payment or gratuity whatsoever for his services. When all persons who are otherwise qualified to admission to any hospital provided by this act are accommodated and provided for, persons who have not resided in the state for one year prior to applying shall be eligible to admission. (L. '13, p. 594, sec. 5.)

Sec. 6119. Support of patients. Whenever a patient has been admitted to said hospital from the county in which the hospital is situated, the superin-

tendent shall cause inquiry to be made as to his circumstances, and of the relatives of such patient legally liable for his support. If he finds that such patient or said relatives legally liable for his support, are able to pay for his treatment in whole or in part, an order shall be made directing such patient, or said relatives to pay to the county treasurer for the support of such patient, a specified sum per week, in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The county commissioners shall have the power and authority to collect such sum from said patient or his estate, or from his relatives legally liable for his support. If the superintendent find that such patient, or said relatives, are not able to pay, either in whole or in part, for his care and treatment in such hospital, said patient shall be admitted free of charge. (L. '13, p. 595, sec. 6.)

Sec. 6120. State board of health to inspect. All hospitals established or maintained under the provisions of this act shall be subject to inspection by any authorized representative of the state board of health, the bureau of inspection and supervision of public offices, and the board of county commissioners, and the resident officers shall admit such representatives into every part of the hospitals and its buildings, and give them access on demand to all records, reports, books, papers and accounts pertaining to the hospital. (L. '15, p. 253, sec. 1. Cf. L. '13, p. 595, sec. 7.)

Sec. 6121. Government for hospital. Wherever a hospital for the care and treatment of persons suffering from tuberculosis exists in connection with, or on the grounds of a county almshouse, the board of commissioners may appoint a board of managers for such a hospital, and such hospital and its board of managers shall thereafter be subject to all provisions of this act, in like manner as if it had been originally established hereunder. (L. '13, p. 596, sec. 8.)

Sec. 6122. Cities or counties may contract for care. Any resident of the state of Washington living outside of a county maintaining a tuberculosis hospital may apply for treatment, or any city, village or county may apply on behalf of its charges and the same may be provided for under a stipulated agreement by the party, municipality or county to pay a weekly sum designated by the board of managers of such hospital, but nonresidents of a county shall not be provided for to the exclusion of residents of said county. (L. '13, p. 596, sec. 9.)

Sec. 6123. Payments by state. There shall be paid by the state treasurer quarterly to the counties maintaining such hospitals five dollars (\$5.00) per week for each person in such institution during time of confinement, as hereinafter provided, excepting those paying full maintenance. (L. '19, p. 63, sec. 1. Cf. L. '13, p. 596, sec. 10.)

Sec. 6124. Manager's report. On the first day of July and quarterly thereafter the board of managers of any county operating such institution shall certify to the state auditor and the county auditor the number of persons cared for at public expense in such institution, the date when each person was admitted and the number of weeks each person was cared for during the preceding quarter, which certificates shall be attested by the board of managers and sworn to by the superintendent, and the state auditor shall draw

a warrant for the amount due according to the provisions of this act. (L. '15, p. 254, sec. 2. Cf. L. '13, p. 596, sec. 11.)

Sec. 6125. County commissioners may be managers. Whenever the board of county commissioners shall manage such hospitals, such board shall have the same powers and be subject to the same regulations as herein provided for a board of managers (L. '13, p. 596, sec. 12.)

Sec. 6126. State aid. Hospitals operated by municipalities of the first class, now existing, or hereafter established and maintained for the treatment of tuberculosis exclusively, may receive state aid by complying with the provisions of this act, except such institutions shall not be required to operate under a board of managers as provided herein, nor shall said institutions be subject to the provisions of this act regarding charge to patients, except those patients for whom said institutions receive state aid. (L. '13, p. 597, sec. 14.)

Sec. 6127. Approval by state board of health. No institution operating under the provisions of this act shall be entitled to participation in the state aid herein provided for, if said institution shall be disapproved by the state board of health and such disapproval certified to the state auditor. (L. '15, p. 254, sec. 3. Cf. L. '13, p. 597, sec. 15.)

Sec. 6128. Use of hospital. After the establishment in any county of a hospital as herein provided for, no person suffering from tuberculosis shall be taken care of or treated in any almshouse or county institution, other than such hospital, except in cases of emergency (L. '13, p. 597, sec. 16.)

Secs. 6129-6131. Plumbing in first class cities. Repealed: (L. '27, p. 30, sec. 1.)

CHAPTER 10-A

Joint County Tuberculosis Hospitals

Sec. 6130-1. Authorization—Powers of joint board. The boards of county commissioners of two or more adjacent counties shall have the power to establish, operate and maintain jointly a sanatorium for the care and treatment of persons suffering from tuberculosis, provided that no institution established under this act shall have less than fifty (50) beds.

For this purpose, the board of county commissioners of each county of such group of counties shall have the following powers:

1. To purchase or lease real property in conjunction with other counties therefor, providing such site shall first be approved by the state department of health.

2. To erect all necessary buildings, make all necessary improvements or repairs, and alter any existing building in conjunction with other counties for the use of said sanatorium: *Provided*, That such buildings be located on a site separate and apart from those designated as almshouses, or county infirmaries: *And provided further*, That the plans for such erection or alteration shall first be approved by the state department of health.

3. To use county moneys, to levy taxes and to issue bonds, as authorized by law to raise a sufficient amount of money to cover the apportioned cost of procuring a site, constructing and equipping the sanatorium and for the maintenance thereof, and all other necessary and proper expenses herein

authorized, and to create a fund to be known as the "Tuberculosis Fund" from which all expenses herein provided for shall be paid.

4. To appoint a board of managers for said joint sanatorium as hereinafter provided.

5. To accept and hold in trust for the sanatorium any grant of land, gift or bequest of money, or any donation for the benefit of the purposes of this act, and apply the same in accordance with the terms of the gift. (L. '35, p. 206, sec. 1.)

Sec. 6130-2. Majority vote—Sanatorium committee—Powers—Sharing costs. Such sanatorium may be established by a majority vote of the board of county commissioners of each county in such group. Upon such decision such board shall appoint one of its members to meet with the member from the board of any other county, or the members from boards of other counties, to organize as a joint sanatorium committee. Subject to the approval of the board of county commissioners of each county of such group, said joint sanatorium committee shall have power to fix the proportionate share each county shall bear in the cost of the site, the establishing, erecting, equipping and maintaining such sanatorium, according to the assessed valuation of its taxable property, to select a site for said sanatorium and to supervise the construction and equipping of said sanatorium. When the county boards agree upon a different apportionment of the cost of maintenance, such agreed apportionment shall govern. (L. '35, p. 207, sec. 2.)

Sec. 6130-3. Board of managers—Appointment—Terms—Expenses allowed—Removal from office—Hearing. When the board of county commissioners of each of such counties shall have determined to establish a sanatorium for the care and treatment of persons suffering from tuberculosis, and shall have acquired a site therefor, and shall have awarded contracts for the necessary buildings and improvements thereon, the boards of county commissioners of the counties comprising the group may appoint a board of managers for such sanatorium.

The board of county commissioners of the county in which the sanatorium is located may appoint three citizens of the county as members of such board. The board of county commissioners of each of the other counties in the group may appoint two citizens of such county as members of the board. The terms of the members first appointed from the county in which the sanatorium is located shall be for one, two and three years respectively and until their successors are appointed and qualify; the terms of the two members first appointed from each of the other counties in the group shall be for terms of two and three years respectively, and until their successors are appointed and qualify; thereafter all appointments of successors shall be made by the board of each county for the term of three years and until their successors are appointed and qualify, and the appointment of persons to fill vacancies shall be made for the unexpired term by the board originally appointing. Failure of any manager to attend four consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by formal action of the board.

The managers shall receive no compensation for their services, but shall be allowed their actual and necessary traveling and other expenses, to be audited and paid in the same manner as the other expenses of the sanatorium. No manager shall be removed from office except for cause shown, and after a

public hearing before the board of county commissioners appointing such manager, on charges reduced to writing. A copy of said charges and the verdict thereon shall be filed with the county auditor of that county. (L. '35, p. 208, sec. 3.)

Sec. 6130-4. Oath—Officers—Medical director—Salaries—Rules—Meetings—Reports. Within fifteen days after appointment, the members of the board of managers shall qualify by taking the usual oath of county officers and shall meet and organize. The board shall elect from among its members a president. The board shall meet at the sanatorium at least once in every month, and may meet at other times on call of the president upon due notice to the board of the time, place and purpose of the meeting.

The board of managers shall appoint a medical director of the sanatorium, who shall be secretary of the board and shall hold office at the pleasure of said board. Said medical director shall not be a member of the board of managers, and shall be a qualified practitioner of medicine, experienced in the treatment of tuberculosis. Said board of managers shall fix the salaries of the medical director, the superintendent, and all other officers and employees within the limits of the appropriations made therefor.

The board of managers shall have general supervision and control of said sanatorium and make such rules and regulations as may seem necessary for carrying out the purposes of such sanatorium.

The board shall make to the board of county commissioners of each county in the group during the first week in January of each year a report covering the proceedings of the board on the operation of the sanatorium and a statement of all receipts and expenditures during the calendar year. (L. '35, p. 209, sec. 4.)

Sec. 6130-5. Application for treatment—Examination—Admission, order of. Any person having resided one year within any county jointly operating and maintaining a sanatorium, desiring treatment in such sanatorium, may apply in person to the medical director, or to any qualified practitioner of medicine for examination, and such physician, if he finds that such person is suffering from tuberculosis in any form, may apply to the medical director of the sanatorium for admission of said person. Upon receipt of such application, if there is a vacancy, the medical director shall notify the person named in the application to appear at the sanatorium. If upon personal examination the medical director is satisfied that the person named in such application is suffering from tuberculosis he shall be admitted. All applications shall be in writing and shall state whether applicant can pay in whole or in part for his care and treatment while at the sanatorium, and every application shall be filed and recorded in a book kept for the purpose in the order of receipt. When said sanatorium is completed and ready for the treatment of patients, or whenever thereafter there are vacancies therein, admission to said sanatorium, except in emergencies, shall be made in the order in which the names of applicants shall appear upon said application book, in so far as such applicants are certified to by the medical director to be suffering from tuberculosis, except that advanced cases shall always be provided for first. (L. '35, p. 210, sec. 5.)

Sec. 6130-6. Liability for support—Weekly payments—Charity patients. Whenever a patient has been admitted to said sanatorium from any county in the group, the medical director shall cause inquiry to be made as to his

financial circumstances, and also the financial circumstances of the relatives of such patient legally liable for his support. If he find that such patient or said relatives legally liable for his support, are able to pay for his treatment in whole or in part, an order shall be made by the board of county commissioners of the county in which the patient resides, directing such patient, or said relatives, to pay to the treasurer of the sanatorium for the support of such patient, a specified sum per week, in proportion to their financial ability, but such sum shall not exceed the average per capita cost of maintenance. The said board of county commissioners shall have the power and authority to collect such sum from said patient or his estate, or from his relatives legally liable for his support. If the medical director find that such patient or said relatives are not able to pay either in whole or in part for his care and treatment in such sanatorium, said patient shall be admitted free of charge. (L. '35, p. 211, sec. 6.)

Sec. 6130-7. Discriminations prohibited—No gratuities to officers or employees—Eligibility of one-year non-residents. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such sanatorium a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the sanatorium; and no officer or employee of such sanatorium shall accept from any patient thereof, any fee, payment or gratuity whatsoever for his services. When all persons who are otherwise qualified to admission to any sanatorium provided for by this act are accommodated and provided for, persons who have resided in the county less than one year prior to applying shall be eligible to admission. (L. '35, p. 211, sec. 7.)

Sec. 6130-8. Eligibility of nonresidents of county—Weekly payments. Any resident of the State of Washington living in a county not maintaining a sanatorium or joint sanatorium may apply for treatment, or any city, or county may apply on behalf of its charges and the same may be provided for under a stipulated agreement by the party, municipality or county to pay a weekly sum designated by the board of managers of such sanatorium, which sum shall not be less than the full cost of maintenance, but no person, not a resident of any county in the group shall be provided for to the exclusion of residents of any county in the group. (L. '35, p. 212, sec. 8.)

Sec. 6130-9. Inspection of institution—Access to buildings, records, etc. All sanatoria established or maintained under the provisions of this act shall be subject to inspection by any authorized representative of the state department of health, the division of municipal corporations, and the boards of county commissioners, and the resident officer shall admit such representatives into every part of the sanatorium and its buildings and give them access on demand to all records, books, papers and accounts pertaining to the sanatorium. (L. '35, p. 212, sec. 9.)

Sec. 6130-10. County treasurer—Duties—Joint sanatorium fund—Audit of claims—Warrants. The county treasurer of the county in which such joint sanatorium is located shall be the treasurer of such institution, and shall receive all moneys raised by taxation or otherwise, or paid for the maintenance of patients in such institution, and deposit same in a fund known as

the "Joint Sanatorium Fund," and shall disburse therefrom all moneys to be paid on account of such institution. The board of managers shall audit all claims against the counties on account of such institution and transmit them to the county auditor of the county in which the institution is located and warrants therefor shall be drawn by such county auditor, upon vouchers approved by the board and shall be paid from said "Joint Sanatorium Fund" in the county treasury upon which the same are drawn. (L. '35, p. 212, sec. 10.)

Sec. 6130-11. Monthly statements and payments of expenses—Approval of claims—Cash revolving fund. The board of managers shall on or before the tenth of each month ascertain the amount of expenses incurred the preceding calendar month for the operation and maintenance of the sanatorium as shown by claims allowed by it, and deduct from the same the amount of the cash receipts of the sanatorium for the month and a certified statement of such expenses shall be sent to the county auditor of each county in the group with a claim for its proportionate share of the net expense for the month in question. Upon receipt of said certificate and claim and approval by the board of county commissioners, the county auditor shall forthwith draw warrants upon the treasurer of his county for the amount due and forward same to the treasurer of the sanatorium.

The board of county commissioners of each county in the group is authorized and empowered to pay its proportionate share to the treasurer of the sanatorium of such an amount as the boards of county commissioners of the counties may designate to constitute a cash revolving fund to carry on the usual operation and expense of the sanatorium. (L. '35, p. 213, sec. 11.)

Sec. 6130-12. State aid quarterly—Amount. There shall be paid by the state treasurer quarterly from the funds appropriated for state aid to "Tuberculosis Hospitals" to the counties maintaining such joint sanatorium (\$5.00) five dollars per week for each person in such institution during the time of confinement as hereinafter provided; except those paying full maintenance. (L. '35, p. 213, sec. 12.)

Sec. 6130-13. Quarterly certificates to state auditor—State warrants drawn. On the first day of July, and quarterly thereafter, the board of managers of any joint institution shall certify to the state auditor, and to the auditor of each county of the group, the number of persons cared for at public expense in such institution, the date when such person was admitted, and the number of weeks each person was cared for during the preceding quarter, which certificate shall be attested to by the board of managers and sworn to by the medical director, and the state auditor shall draw a warrant for the amount due in favor of the treasurer of the county in which the institution is located, as treasurer of the sanatorium. (L. '35, p. 213, sec. 13.)

Sec. 6130-14. State aid only to approved institutions. No institution operating under the provisions of this act shall be entitled to participation in the state aid herein provided for, if said institution shall be disapproved by the state department of health and such disapproval certified to the state auditor. (L. '35, p. 214, sec. 14.)

Sec. 6130-15. Budgets—Approval and apportionment. The board of managers of any joint sanatorium shall prepare in accordance with the county budget law and file with the county auditor in each county in such joint

group, a detailed and itemized estimate, both of probable revenues from sources other than taxation and of all expenditures required from such counties for the operation and maintenance of such joint sanatorium for the ensuing fiscal year. After the total amount for the maintenance of the sanatorium has been fixed by the boards of county commissioners in the group, each board shall approve and include the apportioned amount in the annual levy of county taxes. (L. '35, p. 214, sec. 15.)

Sec. 6130-16. County commissioners may function as board of managers. Boards of county commissioners of the counties in the group maintaining the sanatorium, or such committee thereof as such boards may designate may exercise all the functions herein conferred upon the board of managers and shall be subject to all the laws and regulations governing the board of managers. (L. '35, p. 214, sec. 16.)

Sec. 6130-17. County almshouse relieved from responsibilities—Notice of operating given to county auditors. After the establishment of a sanatorium as herein provided, no person suffering from tuberculosis living in any one of the group of counties maintaining such institution, shall be taken care of or treated at any almshouse or county institution in such group other than such sanatorium, except in cases of emergency. (L. '35, p. 215, sec. 17.)

Sec. 6130-18. Other counties may join—Procedure—Agreement on conditions and association. Any county not maintaining, and operating a county tuberculosis sanatorium, either alone or in connection with another or other counties, accessible to a county or group of counties maintaining and operating such a sanatorium, may become associated with such county or group of counties in the maintenance and operation of such sanatorium in the manner and under the conditions hereinafter specified.

If the board of county commissioners shall decide to join such county or group of counties maintaining and operating such sanatorium, such board shall direct its county auditor to notify in writing the auditor of the county, or the auditors of the several counties, of the action taken by it. The county auditor, or auditors, so notified shall at the next meeting of the board or respective boards, lay the matter before such board or boards. Such board, or each respective board, shall decide by a majority vote whether to admit such county.

If the board of the county or respective boards of counties forming the group, decide to admit such county, the auditor of such county, or the auditors of such counties, shall notify in writing the auditor of the applying county and the board of the county, or the boards of the counties, affected shall then proceed to perfect the enlargement of the group.

The boards of the counties involved, or representatives designated by them, such representatives to be either members of the boards or the county auditors, shall meet and consider the conditions upon which the applying county shall be admitted with reference to the amount of money, if any, such applying county shall pay to the county or group of counties, on account of the funds expended by them in erecting and equipping the sanatorium being maintained and operated by them. The conditions agreed upon shall be set forth in writing and submitted to the county boards of each county involved, and if approved by all of such county boards resolutions to that effect shall be adopted, and upon adoption thereof, the conditions agreed upon shall be binding on all counties involved, and upon complying with the same, the

applying county shall become associated with such county or group of counties in the maintenance of such joint sanatorium.

Upon becoming associated with such county or group as aforesaid, the county associated shall become entitled to all the benefits and privileges conferred, and charged with all the duties and obligations imposed in this act, and shall thereafter in all things be treated as though one of the original counties forming the group. (L. '35, p. 215, sec. 18.)

Sec. 6130-19. Withdrawal of county—Selling price how fixed. The county commissioners of any county within a joint sanatorium group which desires to withdraw from said group, may dispose of its interest in said joint sanatorium by selling same to any county or counties in said sanatorium group at a price fixed by a board of appraisers composed of the county auditors of the counties in the sanatorium group. Said auditors shall, upon application made to them by the county commissioners of any county in the sanatorium group which desires to withdraw, constitute themselves as such board for determining the price to be paid said county for its interest: *Provided*, That nothing in this section shall be construed as compelling any county or counties to purchase the interest of any other county in such sanatorium. (L. '35, p. 216, sec. 19.)

CHAPTER 10-B

McKay Memorial Research Hospital

Sec. 6130-31. Definitions of terms used. For the purpose of this act (a) the term "department" means the Department of Finance, Budget and Business of the State of Washington, (b) the term "institution" means the McKay memorial research hospital, (c) the term "director" means the Director of Finance, Budget and Business, and (d) the term "superintendent" means the superintendent of the McKay memorial research hospital. (L. '39, ch. 46, sec. 1, p. 138.)

Sec. 6130-32. Established as public institution for treatment of Buerger's disease. A public institution is hereby established at Soap Lake, Washington, to be known as the McKay memorial research hospital, for the treatment and care of persons afflicted with Buerger's disease, and for experimental and scientific study of such disease and the medicinal and curative properties of the waters of Soap Lake. (L. '39, ch. 46, sec. 2, p. 138.)

Sec. 6130-33. Management and control as state institution. The said institution shall be under the management, control and direction of the department of finance, budget and business, the same as other state institutions and in all respects subject to the law creating said department and rules and regulations adopted pursuant thereto. (L. '39, ch. 46, sec. 3, p. 139.)

Sec. 6130-34. Persons eligible for treatment. The facilities of said institution shall be available, first, to *bona fide* residents of the State of Washington, and thereafter to the extent that facilities may be available and adequate to residents of other states and territories on such terms and under such rules and regulations as in this act provided for. (L. '39, ch. 46, sec. 4, p. 139.)

Sec. 6130-35. Admission for treatment—Forms. Admission for treatment and care shall be made in accordance with form prescribed and in compliance

with rules and regulations adopted by the department. (L. '39, ch. 46, sec. 5, p. 139.)

Sec. 6130-36. Payment for treatment—Cost basis—Amounts. Patients admitted for treatment and hospitalization shall pay to the department the cost of treatment and service as determined by the department, which sum shall be payable weekly or monthly as provided under rules and regulations adopted by the department. In determining such cost, the director shall include all salaries, wages and other current operating charges including replacements and additions to equipment and routine maintenance of plant and facilities: *Provided*, The director may, and he is authorized to, adopt temporary fee schedules to be effective during the biennial period ending March 31, 1941, as follows: Patients admitted for treatment and hospitalization shall pay a fee for such service not exceeding \$25.00 per week and patients admitted for treatment only shall pay a fee not exceeding \$12.00 per week: *Provided*, That no charges shall be made to a veteran or wife or widow of a veteran who was a citizen and resident of the state prior to 1935. (L. '39, ch. 46, sec. 6, p. 139.)

Sec. 6130-37. Payment by United States or states—Contracts. The United States or any of its agencies, the State of Washington or any department or legal subdivision thereof, or any person, corporation, association or voluntary association which may wish to provide for the care of persons afflicted with Buegers disease in the institution and pay the cost of treatment and care as in this act provided may do so under such terms, rules and regulations as may be prescribed by the director, and the department is hereby empowered to enter into appropriate contracts on behalf of the State of Washington for such services. (L. '39, ch. 46, sec. 7, p. 140.)

Sec. 6130-38. Superintendent—Appointment—Qualifications—Staff—Terms—Salaries. The director shall appoint a superintendent who shall have immediate charge, supervision and control of the institution and patients admitted thereto, subject to such rules and regulations as shall be approved by the department. The superintendent shall be a qualified, practicing physician. He shall give bond to the state in the amount of \$5,000.00 for the faithful performance of his duties. The superintendent may appoint such technical staff and other officers and employees as shall be necessary for the proper and efficient carrying into effect the aims and purposes of the institution. The superintendent shall hold his office for such time as the director may deem wise and for the efficiency and economy of the institution. He shall have entire control of the medical and dietetic treatment of the patients. The director shall fix the salaries of the superintendent and subordinate officers and employees. (L. '39, ch. 46, sec. 8, p. 140.)

Sec. 6130-39. Superintendent and staff as witnesses—Depositions—Jury exemption. The superintendent shall not be required to attend any court as a witness in a civil suit. Parties desiring his testimony may take and use his deposition; nor shall he be required to attend as a witness in any criminal case unless the judge of the court before which testimony shall be desired shall, upon being satisfied of the materiality of his testimony, require his attendance and he and all other persons employed at the institution shall be exempt from serving on juries, and the certificate of the superintendent

shall be *prima facie* evidence of such employment. (L. '39, ch. 46, sec. 9, p. 140.)

Sec. 6130-40. **Contributions acceptable.** With the approval of the Governor, the director is authorized to accept and receive, on behalf of the State of Washington, from any person, association or corporation contributions of every kind and description to be used for research or other purposes, and to enter into cooperative scientific studies and experiments with any governmental agency, corporation, association, or individual in furthering the aims and purposes of the institution under restrictions as may be imposed not in conflict with the laws governing public institutions and regulations adopted pursuant thereto. (L. '39, ch. 46, sec. 10, p. 141.)

Sec. 6130-41. **Fee receipts and funding.** All fees paid to the department for treatment and care in said institution shall be deposited in the state treasury to the credit of the general fund as provided by law. (L. '39, ch. 46, sec. 11, p. 141.)

CHAPTER 11

Sale of Shoddy

Sec. 6132. **Shoddy must be disinfected.** No person, firm or corporation shall within this state, sell, offer for sale, or manufacture for sale, what is commonly known as shoddy, or use the same in the manufacture of mattresses, quilts, pillows, rugs, couches, lounges or bedding of any kind or description, unless such commodity has been first properly disinfected or in some other manner rendered free from pathogenic or disease-bearing germs. (L. '09, p. 100, sec. 1.)

Sec. 6133. **Shoddy defined.** The term "shoddy" as used in this chapter shall include all materials made or manufactured of rags, old clothing, burlap, old mattresses, quilts or pillows. (L. '09, p. 100, sec. 2.)

Sec. 6134. **Enforcement of act by health officers.** It shall be the duty of all departments of health, health officers, commissioners of health or officials discharging similar duties in the state of Washington to enforce the provisions of this chapter, and they shall have power, in the performance of their official duties, to enter any store or manufacturing establishment where the articles mentioned in section 6132 are manufactured or are for sale and make such examination as they deem necessary in order to ascertain whether or not the provisions of this act are being violated. (L. '09, p. 100, sec. 3.)

Sec. 6135. **Prosecution.** It shall be the duty of the attorney general and prosecuting attorneys of the counties of this state to prosecute all cases arising under the provisions of this chapter. (L. '09, p. 101, sec. 4.)

Sec. 6136. **Penalty.** Every person, firm or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment. (L. '09, p. 101, sec. 5.)

CHAPTER 15

Sec. 6284-7. Diseased workers—Health certificate and fee—Revocation of certificate. (a) No person afflicted with any contagious or infectious disease shall work or be permitted to work or be employed in any bakery;

(b) No person shall work or be permitted to work in any bakery in storing, preparing, mixing or handling any bakery product or any ingredient thereof without holding a certificate from a physician, duly accredited for that purpose by the state board of health, certifying that such person has been examined and found free from any contagious or infectious disease. The state board of health may fix a maximum fee, not exceeding one dollar (\$1.00), which may be charged by a physician for such examination. Such certificate shall be effective for a period of six (6) months and thereafter must be renewed following proper physical examination as aforesaid. Where such certificate is required and provided under municipal ordinance upon examination deemed adequate by the state board of health, certificates issued thereunder shall be sufficient under this act;

(c) Any such certificate shall be revoked by the state board of health at any time the holder thereof is found, after proper physical examination, to be afflicted with any communicable or infectious disease. Refusal of any person employed in a bakery to submit to proper and reasonable physical examination upon written demand of the state board of health or the director of agriculture shall be cause for revocation of that person's health certificate. (L. '37, ch. 137, sec. 7, p. 506.)

CHAPTER 16

Mattresses

Sec. 6294-1. Definitions. The term "mattress" as used herein shall be construed to mean any quilted pad, comforter, mattress, mattress pad, hammock pad, bunk quilt, settees, couches, day beds, davenports and overstuffed chairs, cushion or pillow stuffed or filled with wool, hair, cotton, cotton linters, kapok, feathers or other soft material capable of use for sleeping or reclining purposes. (L. '31, p. 375, sec. 1.)

Sec. 6294-2. Prohibited material—Hospitals—Shoddy. No person, firm or corporation, by himself or by his agents, servants or employees shall employ and/or use in the making, remaking and/or renovating of any mattress any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private hospital or institution for the treatment of persons suffering from disease or for or about any person having any infectious or contagious disease; or any material known as "shoddy," or material made in whole or in part from old or worn clothing, carpets and/or other fabrics or material previously used, or any other material not herein specifically mentioned of which prior use has been made, unless any and all of said materials have been thoroughly sterilized and disinfected by a process approved by the state director of health. (L. '31, p. 375, sec. 2.)

Sec. 6294-3. Sale of remade mattresses. No person, firm or corporation shall sell, offer for sale, deliver, rent, consign and/or have in his possession for the purpose of sale, delivery, and/or consignment any mattress made,

remade and/or renovated in violation of the above provision. (L. '31, p. 376, sec. 3.)

Sec. 6294-4. **Tag or label required.** No person, firm or corporation shall sell or offer for sale either at wholesale or retail, or otherwise, repair or renovate, deliver, rent or consign or have in his possession with intent to sell, repair, renovate, deliver, rent or consign any mattress that does not bear thereon, plainly and indelibly stamped upon a muslin or linen tag, or label not smaller than three (3) inches square, securely sewed to the covering thereof, a statement as hereinafter provided. (L. '31, p. 376, sec. 4.)

Sec. 6294-5. **Statement on tag.** The statement required under the foregoing section shall be in words and form as follows:

MATERIALS USED IN FILLING

Percentage of kinds of materials.....
 Gross weight of materials, including covering.....pounds
 Vendor
 Address
 This article is made in conformance with the requirements of
 Chapter Laws of Washington, 19..... (L. '31, p. 376, sec. 5.)

Sec. 6294-6. **Felt.** Whenever the term "felt" is used in any statement, said materials shall be in layers as processes by felting machines and it shall be indicated whether said "felt" is "felted cotton" or "felted linters." (L. '31, p. 376, sec. 6.)

Sec. 6294-7. **"Floss."** It shall be unlawful to use in any statement concerning any mattress the word "floss," or words of like import, if there has been used in filling said mattress any materials which are not termed as "kapok." (L. '31, p. 376, sec. 7.)

Sec. 6294-8. **Misleading statement.** It shall be unlawful to use in the description hereinbefore provided for, any misleading term or designation or term or designation likely to mislead. (L. '31, p. 377, sec. 8.)

Sec. 6294-9. **"Second-hand materials."** In the case of mattresses made from material and/or materials known as "second-hand materials," or "shoddy material" the form of statement provided for in section 6294-5 hereof shall contain a heading in type not smaller than twenty-four (24) point condensed Gothic type the words "Second Hand Material." (L. '31, p. 377, sec. 9.)

Sec. 6294-10. **Rules for grading materials.** The state director of health shall have authority to prescribe, establish and enforce such rules and standards of grading, mixing and inspecting materials used in mattresses as will, in his judgment promote public health and sanitation. (L. '31, p. 377, sec. 10.)

Sec. 6294-11. **Removal of tag.** The removal, alteration or defacement of any tag or label herein provided for shall constitute a gross misdemeanor. (L. '31, p. 377, sec. 11.)

Sec. 6294-12. **Used mattress—Sterilization.** Any mattress of which prior use has been made shall not be offered for sale unless it has been sterilized by a process approved by the director of health, who is hereby empowered to make regulations covering the processes or method used in sterilization. Filthy

or soiled mattresses shall not be considered sterilized unless the fabric covering such mattresses be replaced by clean and new covering and then subjected to sterilization. Such mattresses shall bear a label similar to that provided for in section 6294-5 hereof with the added words "Sterilized Material." (L. '31, p. 377, sec. 12.)

Sec. 6294-13. **Condemned mattresses destroyed.** The state director of health shall have the right to condemn and seize and destroy any mattress which is found to be in violation of any of the provisions of this act or of any rule or regulation made pursuant thereto. (L. '31, p. 377, sec. 13.)

Sec. 6294-14. **Tags furnished—Price.** The state director of health is hereby authorized to contract for the printing of the tags or labels required by the provisions of this act, and shall, upon application to him by any maker, remaker, renovator, or vendor, of any article covered by this act, furnish tags or labels in quantities of not less than 1,000 tags or labels, for which the applicant shall pay \$15.00 for each 1,000 of the same, except tags or labels to be used upon comforters, bunk quilts, cushions, and pillows, and upon which shall be printed in addition, "for use upon comforters, bunk quilts, cushions and pillows," shall be furnished in quantities of not less than 1,000 tags or labels, for which the applicant shall pay \$7.50 for each 1,000 of the same. The moneys so collected shall be paid over promptly to the state treasurer. (L. '31, p. 378, sec. 14.)

Sec. 6294-15. **Each violation separate offenses.** The unit for a separate and distinct offense in violation of this act shall be each and every mattress made, remade, renovated, sold, offered for sale, delivered, consigned, rented, or possessed with intent to sell, deliver, consign or rent, contrary to the provisions hereof. (L. '31, p. 378, sec. 15.)

Sec. 6294-16. **Penalty.** Any person or corporation violating the provisions of this act shall be guilty of a misdemeanor. (L. '31, p. 378, sec. 16.)

Sec. 6294-17. **Enforcement of act.** The enforcement of the provisions of this act shall be under the supervision of the state director of health. Such officer and such persons as he may designate shall have access to any premises or any records held by any person containing any information pertaining to the article or material in question. (L. '31, p. 378, sec. 17.)

Sec. 6294-18. **Partial invalidity.** If any section of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole, or any section, provision, or part thereof not adjudged invalid or unconstitutional. (L. '31, p. 378, sec. 18.)

SANITARY DISTRICTS FOR GARBAGE DISPOSAL

AN ACT relating to garbage collection and disposal in all of the counties of the state, providing for the formation and operation of sanitary districts, defining the powers and duties of certain officers in relation thereto, imposing fees, and providing liens for the collection thereof, and amending section 1, chapter 155, Laws of 1933, being section 6010-1, Remington's Revised Statutes.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 1, chapter 155, Laws of 1933, being section 6010-1 Remington's Revised Statutes, be and the same is hereby amended to read as follows:

Section 1. Sanitary districts for the collection and disposal of garbage and other waste matter in territories outside of incorporated cities and towns are hereby authorized to be established in any county in this state, as in this act provided.

Passed the Senate February 21, 1941.

Passed the House March 10, 1941.

Approved by the Governor March 19, 1941.

REGISTRATION OF UNREPORTED BIRTHS

AN ACT relating to the registration of unreported births; providing the procedure therefor, and repealing sections 3, 4, 5, 6, 7 and 8 of chapter XCVIII (98) of the Laws of 1891 as amended by chapter XXVI (26) of the Laws of 1895, and section 3 of chapter CXVI (116) of Laws of 1901 (sections 6011, 6012, 6013, 6014, 6015, 6016 and 6017, Remington's Revised Statutes) and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Whenever a birth which has occurred in this state prior to the date of this act is not on record in the office of the State Registrar or in the office of the Auditor of the county in which the birth occurred if such birth was prior to July 1, 1907, and the attending physician is not available to make the registration, application for the registration of the birth may be made by the interested person to a judge of the Superior Court, either of the county of residence or of the county of birth, as hereinafter provided.

SEC. 2. The application shall be made upon a form provided by the State Registrar and shall be supported by the affidavit of at least two (2) persons having knowledge of the facts stated therein, or reason to believe that such facts are true, or by documentary evidence. Copies of said application shall be served upon the State Registrar, and the local registrar at least fifteen (15) days before the application may be presented to the Superior Court. A fee of two dollars (\$2) shall be paid to the State Registrar at the time said service is made upon him. No other or further fee shall be paid to the registrar or to the court for the registration of such birth.

SEC. 3. The Judge of the Superior Court to which such application is submitted shall examine the application and take such testimony as may, in his judgment, be necessary to establish the facts. The State Registrar or his authorized deputy certified to the Court as such, may appear at such hearing,

may examine witnesses, and may submit proof for or against the application. If the Court is satisfied that the facts are as stated, it shall issue an order to the State Registrar that such birth be registered. If the Court is not satisfied that the facts are as stated, it shall issue an order continuing the hearing for further hearing or denying the application.

SEC. 4. The order for the registration of such birth shall be on a form provided by the State Registrar, and shall be properly signed by the Judge of the Superior Court, and shall have attached the affidavits and documents supporting the application, and shall bear the seal of said Court, and the birth shall be registered in the records of the State Registrar and shall also be filed in the local registration district in which the birth occurred. A certified copy of such record, when issued, shall be *prima facie* evidence in all courts and places of the facts stated therein. Certified copies shall be furnished at a fee of fifty cents (\$.50) each.

SEC. 5. Sections 3, 4, 5, 6, 7 and 8 of chapter XCVIII (98) of the Laws of 1891 as amended by chapter XXVI (26) of the Laws of 1895, and section 3 of chapter CXVI (116) of the Laws of 1901 (sections 6011, 6012, 6013, 6014, 6015, 6016, and 6017, Remington's Revised Statutes) are hereby repealed.

SEC. 6. This act is necessary for the immediate preservation of the public health, peace and safety, and shall take effect immediately.

Passed the House March 12, 1941.

Passed the Senate March 11, 1941.

Approved by the Governor March 21, 1941.

TESTING OF HEARING OF SCHOOL CHILDREN

AN ACT providing for the testing of hearing of school children; prescribing powers and duties of Boards of Directors of public schools, the Superintendent of Public Instruction; and other officers and employees.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. In addition to the Duties otherwise provided by law, every board of school directors for public school shall have the power, and it shall be its duty to provide for and require testing of the hearing of all children attending public schools in their districts to ascertain which if any of such children have defects in their hearing sufficient to retard them in their studies. Such tests shall be made annually to commence each September, and beginning in 1941: *Provided, however,* That in cities and districts with more than twenty-five thousand (25,000) children attending their schools, that tests therein may be arranged to cover all such children once within two (2) years. Such tests may be made by the health officer of the respective counties or medical directors of the schools or by competent persons provided by them; otherwise, the tests may be made by the superintendents, principals, or teachers of the respective schools.

SEC. 2. The person completing such tests shall promptly prepare a record of the test of each child found to be hard of hearing, and send copies of such record to the parents or guardians of such children, and to the Superintendent of Public Instruction, and to the State Director of Health, and deliver the original record to the teachers in charge of such children, and such teachers shall preserve such records, and give special attention to said children with

defective hearing and assist them toward making their grades in studies with their classes.

SEC. 3. It shall be the duty of the Superintendent of Public Instruction, after consultation with the State Director of Health, to prepare and distribute to the school boards or to the respective County School Superintendents for them, suitable rules and directions, together with blanks, cards, records, and forms to be used in making and reporting such tests.

Passed the Senate February 14, 1941.

Passed the House March 10, 1941.

Approved by the Governor March 24, 1941.

SERVICE TO CRIPPLED CHILDREN

AN ACT relating to and providing for services to crippled children; describing the powers and duties of certain state officers in connection therewith; repealing section 7, chapter 114, Laws of 1937 (section 9992-107, Remington's Revised Statutes) and providing that this act shall take effect April 1, 1941.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. It shall be the duty of the Director of Health and he shall have the power to establish and administer a program of services for children who are crippled or who are suffering from physical conditions which lead to crippling, which shall provide for developing, extending, and improving services for locating such children, and for providing for medical, surgical, corrective, and other services and care, and facilities for diagnosis, hospitalization, and after care; to supervise the administration of those services, included in the program, which are not administered directly by it; to extend and improve any such services, including those in existence on the effective date of this act; to cooperate with medical, health, nursing, and welfare groups and organizations, and with any agency of the state charged with the administration of laws providing for vocational rehabilitation of physically handicapped children; to cooperate with the federal government through its appropriate agency or instrumentality in developing, extending, and improving such services; and to receive and expend all funds made available to the department by the Federal government, the state or its political subdivisions or from other sources, for such purposes.

SEC. 2. The Director of the State Board of Health shall be empowered to promulgate such rules and regulations as shall be necessary to effectuate and carry out the purposes of this act.

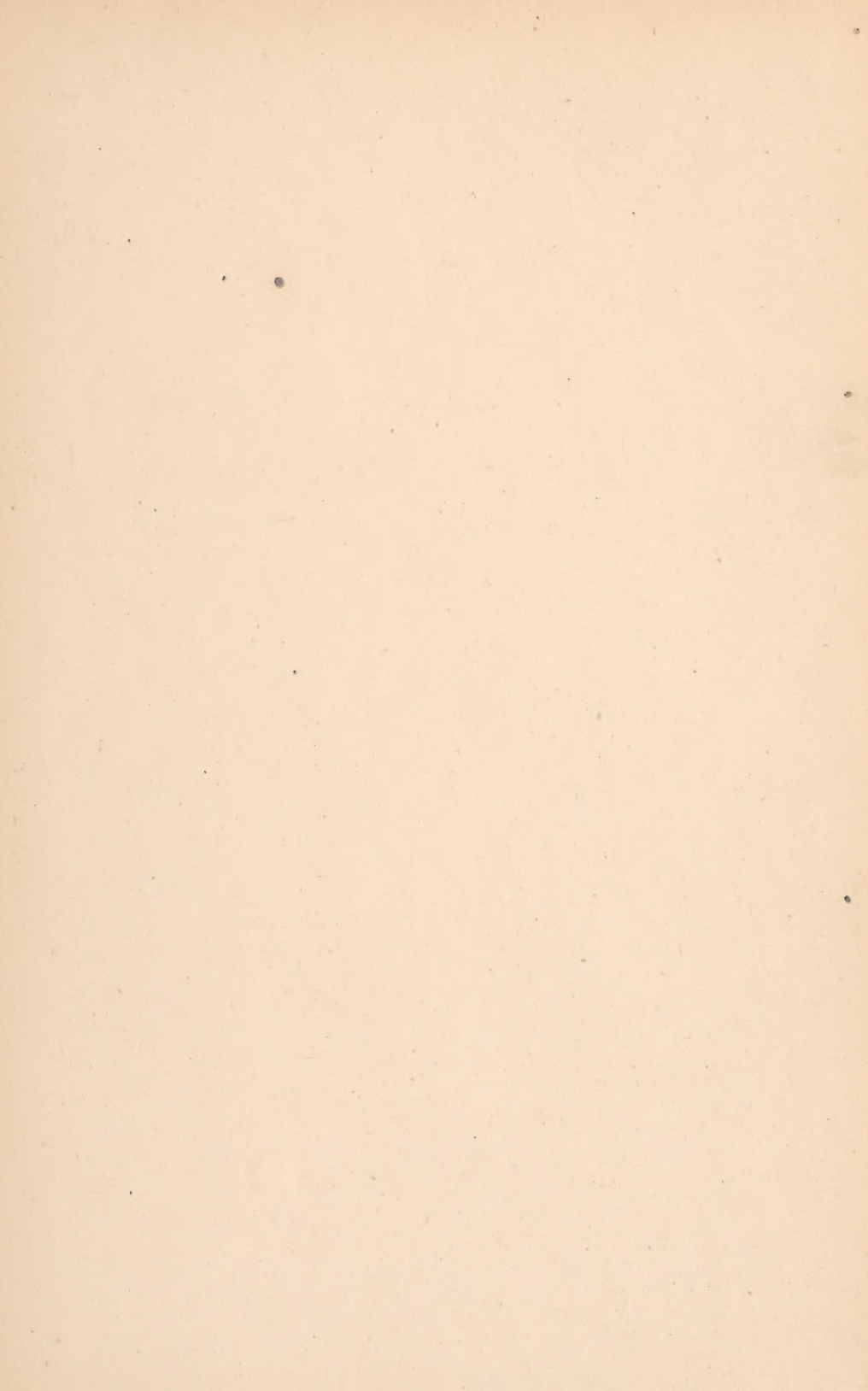
SEC. 3. Section 7, chapter 114, Laws of 1937 (section 9992-107, Remington's Revised Statutes) is hereby repealed.

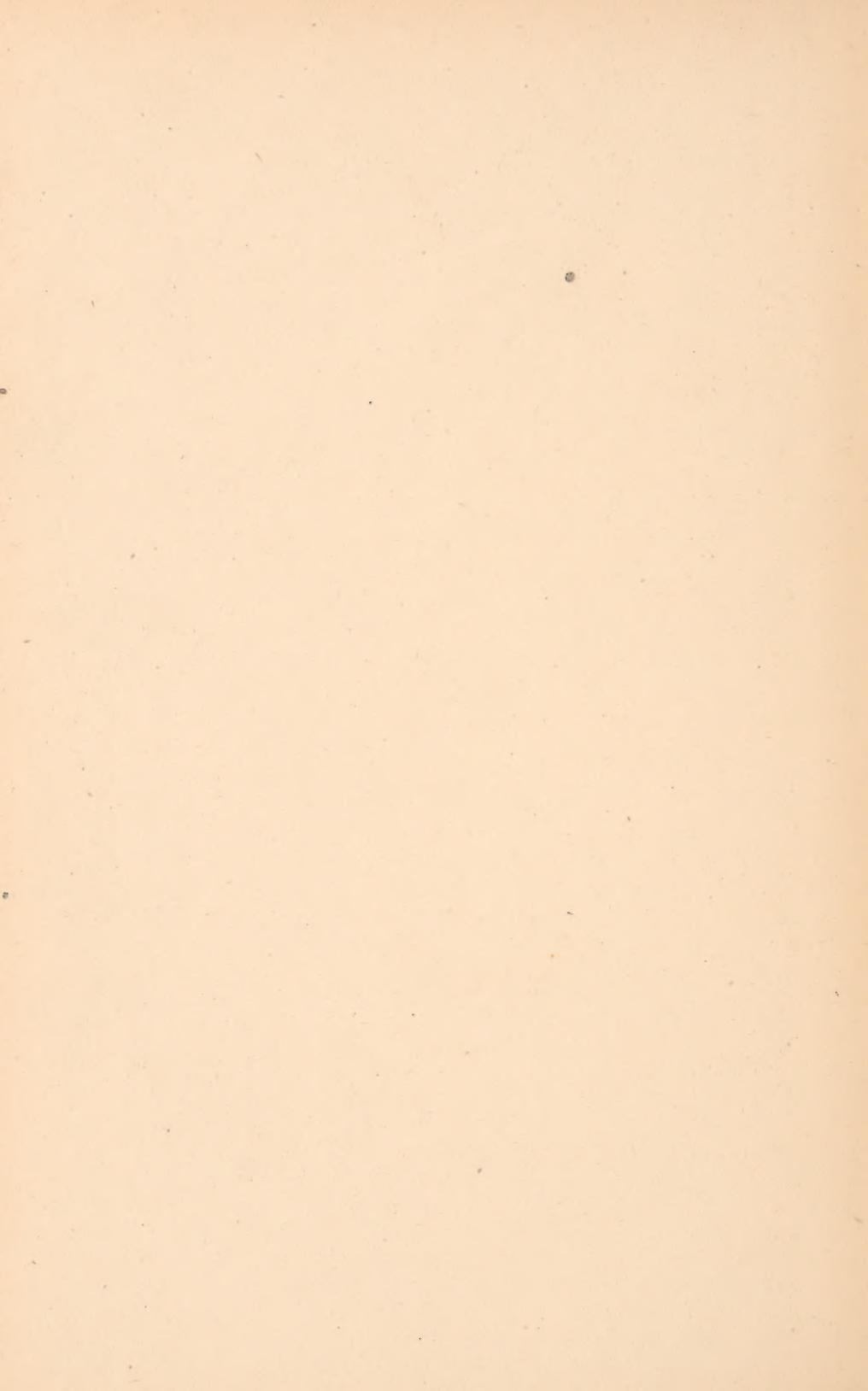
SEC. 4. This act is necessary for the immediate preservation of the public peace, health and safety and the support of the state government and its existing public institutions and shall take effect April 1, 1941.

Passed the Senate March 8, 1941.

Passed the House March 12, 1941.

Approved by the Governor March 21, 1941.





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